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A STATEMENT
OF THE
FRAUDS
ON THE
ELECTIVE FRANCHISE
IN THE
City of New York,

In the Fall of the Year 1838 and Spring of 1839:

BY

JAMES B. GLENTWORTH.

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FORT NEW AMSTERDAM



(NEW YORK), 1651.

*When you leave, please leave this book
Because it has been said
"Ever'thing comes t' him who waits
Except a loaned book."*

ADDRESS

TO THE PEOPLE OF THE UNITED STATES.

Gift Silas Dunbar
FELLOW CITIZENS—The object of my addressing you at this time, is not for the purpose of justifying myself for the participation which I have had in the frauds on the elective franchise, in the State of New York, in the years 1838 and 1839, which produced so much excitement after their disclosure, and which were so widely, justly, and severely commented upon in the public prints, not only in this country, but in England. That I did participate in these transactions, I admit, and can only, so far as I am concerned, frankly acknowledge my error. The evil is done, and I sincerely regret that I ever, in any way, allowed myself to participate *with others* in a transaction for which I have been compelled by circumstances to be the only sufferer. In justice to my country—in justice to my family—in justice to my friends—in justice to myself—I am determined now, be the effect on myself what it may, to present to the public a full, candid, true and impartial account of those frauds, in which I shall

“ Nothing extenuate,
Nor set down aught in malice.”

I am well aware that duty required me to adopt this course long since, but, through force of circumstances, my hands have been tied and my lips closed; and while my name has been braided from one extent of the country to the other, I have been compelled to be silent, and tamely bear the whole odium attached to those transactions. I was in the power of men equally guilty with myself, and both threats and promises were resorted to to obtain the “mercy of my silence.” An indictment was pending over me for participating in these frauds, and until that was removed, my personal liberty required me to keep secret that which justice demanded should be known. That necessity is now removed. I am released from that indictment, (it having been discharged on the 22d ultimo,) and the truth shall now be laid before the people, and the guilty, be compelled to bear their just proportion of that, which heretofore, I have singly and alone, been forced to sustain.

No one but myself knows what I have suffered.—I have, since the first disclosures were made, seen friend after friend desert me, and out of all that numerous host with which I was on terms of intimacy, but few remain that call themselves my friends. Considerations of honor (whether true or false) towards my confederates influenced my conduct at the time of my arrest, and a long time subsequent thereto. Because I was involved in trouble, I did not wish to involve them. To me, that would have been no gratification or relief. I presumed they felt, as I did, deep regret for their unlawful acts, and that they would, at least so far as in their power, relieve me from my difficulty. I expected them to act honorably towards me; and it was not until I discovered, upon several occasions, an evident design (notwithstanding repeated assurances to the contrary) to sacrifice and destroy me, to load me with ignominy, and “whistle me down the world, a prey to fortune,” that I understood the true position in which I

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was placed. They appeared to consider it necessary to so far ruin my reputation that aught I could say in relation to them would be of no avail. They acted as if they considered their safety dependant on their success in affixing infamy and odium upon my character. How far they have succeeded depends upon a verdict of the people. They will pass upon it after they shall have perused the statement and the evidences I shall lay before them. Sensible of having committed a great moral wrong, I can only now appeal to a forgiving and generous people; and if they can find any extenuation, in consequence of my ardent temperament, which, in the enthusiasm of party excitement and party strategy, led me into excesses, my object, so far as regards myself, will be accomplished. With politics I have done—I have no hopes or expectations from party. The disclosures I shall make will be made free from any bias, and on mature deliberation, after having carefully collected the facts and memoranda upon which to base it. I know that fearful odds are against me—I am almost friendless and alone. Opposed to me I have wealth, character, influence, public and private station and trust. Fearful odds! But, believing in the maxim, that "truth is mighty, and will prevail," I enter the lists, considering that it is never too late to redress a wrong, or do a good and justifiable action.

Independent of any evidence, let us apply the ordinary rules of logic to the transactions in relation to these frauds, and see whether they are for or against the truth of my statement. If the statement which I made to Mr. J. D. Stevenson in relation to these frauds was not true, (and it has always been denied by the leaders of the whig party,) why was I removed from office? It was admitted that I had faithfully and ably performed the duties of the station I held, and if the charges against me were false, then I was a persecuted man; and as they admitted I was competent, and had rendered essential services to the party, was it not their duty to sustain me? I had *their written acknowledgment of my services*, not in measured terms, but in terms of unqualified approbation. Let us look also at the other side of the question. If the charges were true, and known to Governor Seward and the prominent leaders of the whig party, (which I solemnly aver they did know,) were they not bound to sustain me, instead of attempting to degrade me, and leaving me to contend against the other party unaided (except secretly) and alone? It is well known that the whig leaders would neither openly carry me through my difficulties, nor permit the whig party to rally around me. If I alone was guilty—if they had no participation in the frauds—if they were ignorant of the transactions—if I accused and charged upon the innocent a gross violation of the laws of the land—then I deeply injured them. I merited their severest censure. Why, then, did they secretly aid and assist me, but publicly calumniate me? Such was the course they pursued, until they supposed their public slanders had so far blasted my reputation that their victim could be sacrificed without danger to themselves.

Unless I was guilty of the charges against me, there was no reason why I should not have received the confidence and support of the whig party. During a period of nine years, I labored like a slave, as thousands can attest, in the organization of that party; and after the result of the election in 1838, I was

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solicited to accept office, and declined it. I was satisfied with the business in which I was then engaged; and subsequent events have convinced me, that the most unfortunate era of my life was that in which I accepted office. It was conceded that I merited the office: it was conceded that the duties were ably and faithfully discharged; yet I was removed from it before the expiration of the term for which I had been appointed. Was there not some cause why I was removed? What was that cause? If I was *guilty* of the frauds charged upon me, was I alone *guilty*? were they known only to me? If *innocent*, why remove me from office, and thus add the persecution of my own party to that of my political opponents? These are questions which I wish the public to solve. If those charged as participators in the election frauds were innocent, why did they not court investigation, nay, demand it? Their innocence, sealed by a verdict of a jury of their country, would have made for them party capital, because they would have been looked upon as persecuted men. But the guilty generally reason from false premises—they shunned investigation—they created a disastrous issue for themselves. Instead of endeavoring to screen me, their efforts were directed to removing all suspicion from themselves. Had they reasoned correctly, they would have seen, that had I been convicted of the charge, the public would have known that I could not, unaided, have perpetrated such stupendous frauds. Some saw the question in its true light—some felt the danger of their situations; and it was probably in consequence thereof, that I was indebted for the friendly visits and letters of some of the members of the Grand Jury, who were impannelled during the term that the first attempt was made to indict me. Had that responsible body been tampered with? and if so, by whom, and for what purpose? Such high handed acts would not have been perpetrated without strong motives. One thing is certain, I did not tamper with the jury, neither was it done by my request. Did those who have been accused know of the frauds? If so—if I alone was guilty—what motive could others have had to assist me, in the least, during the judicial proceedings against me? By my acts they had been accused—if innocent, how deeply had I wronged them! Who retained, and *so heavily* feed the counsel employed to defend me, both on the examination and on my trial? Charles O'Conner and David Graham, jr., Esqrs., were employed and paid by some one, not by *myself*. James M. Smith, jr., Esquire, was the only counsel employed by me. My trial came on—the jury did not agree, and were discharged.—Up to this time, my confederates—some of them, at least—deemed it essential that I should not be convicted. Up to this time I had been silent as to their participation with me in the frauds for which I was justly suffering. The Grand Jury had failed to indict them; *my personal safety was their guarantee for my silence*. The indictment was pending, and they knew that a word against *them* would furnish evidence against *myself*. They also knew that the *statute of limitations* would soon protect them from any indictment for the part they acted in the frauds for which I was indicted. That time expired the beginning of November, 1841. Three attempts were made by my counsel, James M. Smith, Jr., Esq., for my discharge, urging at each time, either a trial or a discharge from the indictment; but it was deferred by the Court from term to term, until the *statute*

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of limitations would protect the persons implicated, and then my discharge was granted!!!

For some time after the trial, my confederates ceased to hold any communication with me in relation to the election frauds. But a circumstance occurred which again brought them to ask of me a favor, humbled as I was. Trampled upon as I had been, I had still, as they knew, the power to harm I had certain papers in my possession which were dangerous to them. I was in possession of some facts, and they feared that information might possibly leak out that would defeat the confirmation of certain nominations under the general government. Again, therefore, negotiations were set on foot, and I confess openly to the public, that, convinced as I had been, by their acts, of their utter turpitude and treachery towards me, I professedly acceded to their offers, and availed myself, by stratagem, of additional evidence to fortify myself against my powerful adversaries. Their foot was on my neck—thousands to one against me; and while thus prostrate, strategy was my only hope of deliverance. How well my plan succeeded, the public hereafter shall know. In the expose which I feel it my duty to make, many will be mentioned whose feelings I would not willingly wound; but it is not my fault if others, less immediately connected and inculcated in these transactions, are pointed out. The act was their own; and as my statement must be a faithful one, I cannot pass them by. The whole transactions shall now be given to the public, with such evidence as I have to substantiate the charges. All I ask is a candid perusal; and I appeal to all who shall read these written, and now complete documents and narratives, to mark the connected, unbroken and lucid chain of evidence they present, of locality, names, dates, persons, incidents, conversations, &c &c., to say, whether they believe it to be within the compass of possibility, that any human being, however gifted in intellect, base in moral depravity, or maddened by despair, could, with the most fertile and ingenious inventive powers, have fabricated such a story, or forged such papers as are presented.

Almost all the original letters and memoranda have come into my possession within a few days; and those who deserve the censure cannot now, by any subterfuge, escape the just and merited reproach which a people, jealous of their rights, will visit upon those who attempt, by fraud, to wrest them from them.

It will be seen, in the sequel, that the reproach and the ignominy which they strove to fix on me alone, should be shared by others who hold higher stations, and have more friends, more wealth, and more influence to sustain them, than myself; and though I am aware that their participation will not screen me from the reproach I merit for the part I have performed, it will, at least, teach them that neither wealth, place, influence, or perjury, are safe guarantees against the exposure of guilt.

To the public I appeal, confessing and regretting my errors, and by their verdict I must abide, be it for or against me.

Very respectfully,

JAMES B. GLENTWORTH.

New-York, December 2d, 1841.

[From the *New York Evening Post*, of December 29, 1841.]

STATEMENT.

SEVERAL days since I published a card in the daily papers, in which I promised to submit to the consideration and judgment of the public the facts connected with the election frauds in this city, in the years 1838 and 1839, and the motives which influenced me in making an exposition of the same. In redeeming this pledge, I repeat my declaration then made, that I am not actuated by any feeling of hostility; and further, that I am not influenced by any person or persons in the course which I have felt it my duty to adopt—but that I act in this matter free and unbiassed, and according to the dictates of my judgment, after having maturely weighed the subject in my own mind, and calculated all the chances both for and against the propriety of my course. I feel sensible that I have committed a great moral wrong—I know that I have been instrumental in attacking the purity of one of the dearest and most inestimable rights of freemen. I have succeeded, *by the aid of others*, in consummating a stupendous and daring fraud, and I have suffered, and justly too, for my illegal conduct; but when I look around and see others who were as guilty as myself—men, who reaped benefit from their iniquity, while I, and I only, was compelled to suffer—men, who have been elevated in consequence of their and my unlawful acts, and who are now courted, while I am passed by as unworthy to be their associate—I can but think that I am in the discharge of not only a great moral obligation, but also of a duty which I owe to myself and the public, to point out the men who were the guilty participators with me, that they may be known to the public, and also to expose the manner in which these frauds were perpetrated, in order that hereafter no such acts can be attempted without a certainty of defeat.—But I will not take up your time with preliminary remarks, but proceed to give the statement of the FRAUDS.

Towards the close of September, or the early part of October, 1838, “a *confidential committee*” was raised from each of the executive committees of the Old and Young Men’s General Whig Committees of the city of New York. Robert Swartwout, Francis L. Lippett and Redwood Fisher were selected by the former, and James Bowen, Robert C. Wetmore and myself on the part of the latter. Mr. Swartwout was selected on the part of the Confidential Committee of the Old Men, and I was selected by the Young Men’s Committee, to carry into effect such *confidential* operations as might be proposed and agreed upon. Mr. Swartwout and myself had several interviews in the Whig Committee room in Broad street and elsewhere, in reference to the Philadelphia operation, WHICH WAS TO PROCURE PERSONS FROM THAT CITY TO VOTE IN THE CITY OF NEW YORK. It was agreed that we should proceed to Philadelphia, and consult some prominent members of the whig party there as to the feasibility of the contemplated project. Mr. Swartwout and myself

left New York, according to appointment, on the 6th day of October, 1838, on board the steamboat Independence, for Philadelphia, by the way of South Amboy, and from thence by railroad to Philadelphia. I acted as purser, and paid our passages and other expenses. The hour for leaving New York was changed on that day to twelve o'clock, for the first time, as I believe, for that season. This was on Saturday. We arrived at Philadelphia at about dusk of the same day, and went to the United States Hotel. The next day, at about half past twelve o'clock, Mr. Swartwout and myself went to the residence of Colonel John Swift, formerly Mayor of the city of Philadelphia. There an interview was had with him, in which, however, I took no part, but left the matter entirely with Mr. Swartwout. They went into the back parlor, leaving me in the front with the family. After we had been at the house some fifteen or twenty minutes, I was called into the room with them. Colonel Swift remarked that he would introduce some persons to me the next day, inquiring, at the same time, where we stayed. I am not certain whether he then named the persons whom he would introduce to me. I had been acquainted with him from my boyhood. Immediately after this interview, Mr. Swartwout and myself returned to the United States Hotel. On the way, he informed me that Colonel Swift considered the project contemplated by us as practicable, and that he had promised to send persons to me to carry it into effect; that he would aid us in accomplishing the same. It was agreed that I should remain in Philadelphia to make the arrangements, &c. Mr. Swartwout left that evening, at five o'clock, for New York. The next morning Colonel Swift called on me, at the United States Hotel, and I think it was at that time that he introduced to me Robert Miller, and stated that he would send James Young to see me in the course of the day. He remained but a very short time. I had considerable conversation with Miller; he also said he would send Young to me either during that or the following day. Our conversation was upon the subject of procuring persons from Philadelphia to vote the whig ticket in the city of New York. Miller said he would ascertain if he could furnish a certain number of persons for the purpose, and see me again as to the compensation which I was to pay them. During that or the following day, and which I am not positive, James Young called at the United States Hotel, and inquired for me at the bar. He was at this time one of the high constables of the city of Philadelphia. I was sent for. When I came in, he approached me and mentioned his name. We stepped aside and had some conversation on the subject of the business before stated. He thought the matter practicable, and agreed to see me after ascertaining the views and expectations of the parties. I met both Young and Miller repeatedly at my rooms and elsewhere. During these interviews I made arrangements with them to furnish men to come from Philadelphia to the city of New York and vote at the approaching fall election. By the terms of the agreement which I entered into with said Young and Miller, I was to pay them thirty dollars for each man they furnished for the aforesaid purpose.—Lists of names of men were given me by Young and Miller, who, they informed me, would go to New York and vote on those terms. This visit to Philadelphia was only to make the preliminary arrangements; I did not go prepared with funds to complete them. On the 11th day of October I returned

to the city of New York, and had an interview soon after my arrival with James Bowen and others, informed them of my movements at Philadelphia, and the arrangements which I could make. They expressed themselves perfectly satisfied. After a meeting of the Whig Executive Committee at the Broadway House, the subject of obtaining funds to carry the Philadelphia operation into effect was discussed by Bowen, myself, and others. We came to the conclusion that it was impossible to dispose of any of the monies collected for the General Committee, without a distinct appropriation of that committee, on the application of the Executive Committee; and such an appropriation as we required would excite the suspicion of the members of the committee generally. It was therefore proposed by Mr. Bowen that we should trust the proposed operation to Richard M. Blatchford and Simeon Draper, Jr., as it was stated that they had the control of a certain fund, to disburse as they thought proper, and Mr. Bowen considered it best to get the funds from this source, rather than risk the matter leaking out, by asking an appropriation from the committee. Mr. Bowen also assigned as an additional reason for the propriety of the course suggested by him, that the Executive Committee would have to ask the appropriation, and that it could not be done without entrusting every member of that committee with our plan; besides, if we could get three thousand dollars, or any part of this amount, from them, (Blatchford and Draper) then the General Committee could appropriate their funds to other purposes. I strenuously opposed entrusting these confidential operations to persons who were not members of either of the committees, but at length yielded to Mr. Bowen, and agreed to meet him, with Messrs. Blatchford and Draper, the next morning, at Mr. Blatchford's office, and to state my views, and the plan of the contemplated operation. This was a few days after my return from Philadelphia. I went to Mr. Blatchford's office, pursuant to the appointment, and met Messrs. Bowen, Blatchford and Draper. They appeared to be acquainted with the operation generally; and when I spoke of the practicability of the scheme, of the amount of votes that would thus be furnished to the party, rendering the election, as I stated to them, a matter of certainty, they agreed to furnish the funds I would require to consummate the arrangement. We talked freely upon the subject. The Executive Committee consisted, according to my present recollection, of James Bowen, Chairman, Robert C. Wetmore, James H. Freeborn, Samuel R. Childs, John C. Brant, — Chatterton, Heman W. Childs, Edgar S. Van Winkle, one or two others, and myself. Willis Hall, the present Attorney General of the State, was Chairman of the General Committee, and, ex-officio, a member of the subordinate committees. Edgar S. Van Winkle was Chairman of the Corresponding Committee. I was the Chairman of the Finance Committee, and, at this time, was very much occupied with the other members of that Committee in collecting funds for the approaching election. The Finance Committee consisted of Messrs. W. Disosway, J. H. Mulford, and Theodore Draper, Jr. I was assisted in making collections by H. L. Pierson, Robert C. Wetmore, and Henry W. Havens. On or about the 20th day of October, 1838, I returned to Philadelphia, to perfect my arrangements for the fall election. The evening before I left, I was engaged with the Executive Committee until after 11 o'clock. During that evening, Mr. Richard

M. Blatchford called twice at my house to see me, but not finding me at home, as late as 11 o'clock, he sent a letter to me. His apparent anxiety to see me, and his sending the letter at so late an hour, created some suspicion in the minds of my family, and it was opened and read by them. The letter urged upon me by no means to delay leaving in the morning, and assured me means should be provided. The object of my visit to Philadelphia was known positively to Messrs. Bowen, Blatchford, Draper and Swartwout, and I have reason to believe it was suspected by some few other prominent members of the party. On my arrival at Philadelphia, I had repeated interviews with Young, Miller, and others, and consummated, as far as I was enabled to do, my arrangements. On the first day of November, at about midnight, I received a letter by the hands of William A. Ford, of the city of New-York, who at that time was employed as clerk in the Whig Committee Room in Broad street, which I have no doubt was from James Bowen. I come to this conclusion from the fact, that I had agreed with Messrs. Bowen, that the fictitious name of W. Scott should be used by him in our correspondence, if any was necessary, and the letter brought me by Mr. Ford was so signed. Mr. Ford left New-York at five o'clock, and arrived at about midnight. I had not retired: I was waiting the arrival of the cars from New-York. I felt some anxiety to receive the funds, as it was within a few days of the election. The following is a copy of the letter received by the hand of William A. Ford—the original of which is now in my possession:—

"THURSDAY AFTERNOON.

"D'r G.—We were a good deal alarmed, this morning, to find that your visit to Philadelphia was suspected here, and was talked of in the street. For your own sake, as well as ours, you must stop short where you are. The enclosed will enable you to meet your engagements, as far as you have gone; and you had better return and show yourself here as soon as you possibly can.

Yours, truly, &c. &c.

W. SCOTT."

"The bearer knows nothing."

This letter enclosed, I think, \$500, to pay what expenses I had already incurred. My arrangements had been made; and, from the character of the men who had been engaged for the purpose of coming to the city of New-York to vote, I was satisfied that, if they did not receive the compensation stipulated, the whole matter would become public; and that, under such circumstances, the safety of the party required that the arrangements I had made should be carried into effect. With this view, I determined to return immediately to New-York, and so stated to Mr. Ford, at the same time requesting him to take the Camden and Amboy line, in order that we might not be seen together, as I intended to take the other route. I started the next morning, and arrived in New-York about half-past two o'clock, and went to the committee room in Broad street, and from thence to the office of Mr. Blatchford. I did not find him in. The next morning I had an interview with Messrs. Bowen, Blatchford and Draper. I think I saw Mr. Bowen first. He informed me that he was fearful the whole matter would be discovered; that Redwood Fisher, and some others, had been speaking of it in the street; that

there was also a want of funds; that sufficient could not be procured from the source we had depended upon, when we had the interview, which I have heretofore named, with Messrs. Blatchford, Draper and Bowen. At the interview at Mr. Blatchford's office, the same reasons were advanced—a fear of discovery, and a want of funds. After considerable conversation on the subject, in which I stated the reasons which, in my opinion, required us to go on and complete the operation, it was finally determined between us to make an effort to raise the funds necessary for that purpose, and to meet at Mr. Draper's house that evening: I think ten o'clock was the hour appointed. It was agreed that I should call on the persons nominated for the Assembly, by the whig party, and collect all I could from them and others. Messrs. Blatchford, Draper and Bowen agreed to use their efforts for the same purpose. At my solicitation, Henry W. Havens accompanied me during the afternoon and evening, in a hack, to make collections. We succeeded in collecting, according to my present recollection, between three and four hundred dollars. Mr. Havens remained with me until nearly nine o'clock in the evening. We called on Alderman Zabriskie, Stephen Potter, Alfred Carhart, and others. I left Mr. Havens somewhere in the upper part of Broadway, and went to Mr. Bowen's house. He then resided in Broadway, a few doors above Leonard street. I found him at home; and, after some conversation on the subject, we went together to the house of Mr. Simeon Draper, Jr., in Warren street, near Broadway. We were then informed that Mr. D. was at the house of Mr. William Samuel Johnson, which was almost directly opposite. We went to Mr. Johnson's, and Mr. Bowen inquired for Mr. Draper. He was there, and we went into the house. Mr. Bowen went up stairs into the parlor, and I remained in the front basement, which was that evening used as a depository for the cloaks and hats of the company. There was a meeting of the Kent Club there that evening, as I was informed. I saw several gentlemen in the room. I recollect Mr. William H. Harrison: I think I engaged in conversation with him; also Mr. George W. Gibbs and David B. Ogden, Esq. After I had waited about ten minutes, Messrs. Bowen, Blatchford and Draper came down, and we all went to the house of the latter. We went into the back room of the rear building. A conversation immediately commenced in relation to my success in making collections, and the amount I required to be made up. In a short time, Mr. Bowen left. At about half-past eleven o'clock, and before our arrangements were completed, Messrs. George S. Doughty and Redwood Fisher called at the house. They went into the front parlor; Mr. Draper went in to see them, and Mr. Blatchford also. Mr. Draper returned in a few moments, and we completed our arrangements as to the funds. I received all that I required, and handed to Mr. Simeon Draper the checks that I had collected, and received from him his draft, at sight, on Mr. William Gill, of the city of Philadelphia, which, with what I had in cash, amounted to between two and three thousand dollars. I went into the parlor, and saw General Doughty, and Mr. Redwood Fisher, and ascertained that the object of their visit was to return a check of three hundred dollars, which had been given to Mr. Benjamin Birdsall, to secure the services of Martin E. Waters, of the Sixth Ward, which appropriation was solicited by Mr. Birdsall, of Mr. Fisher and myself, for that purpose,

some time previous, and approved of. The check was returned in consequence of some remark which Mr. Blatchford had made in relation to the misapplication of funds, in the presence of Mr. Birdsall, to which Mr. Birdsall had taken exception. Mr. Blatchford made a satisfactory explanation, and the check was retained by Doughty and Fisher, to be returned to Mr. Birdsall. I left the house of Mr. Draper, with Mr. Blatchford, Mr. Fisher, and General Doughty, with a perfect understanding that I was to go to Philadelphia and carry out the before named plan. We all resided in the same neighborhood, and rode up in a hack from Mr. Draper's house: it was raining. I left for Philadelphia the next morning, and arrived there about three o'clock, P. M., and went to the United States Hotel. I called immediately on Colonel Swift. I told him that I wanted to see Young and Miller that evening. He said that he would notify them and that they should be directed to meet me at the house of Mr. George Riston. After leaving the house of Colonel Swift, I went to the residence of Mr. Wm. Gill, on whom I had the draft for the money, and was informed that he had gone to the Falls of the Schuylkill, and would not return until evening. At about six o'clock, I again called at Mr. Gill's house. At this time I saw him, and presented the draft. He said that he had not the amount in the house, and that it was impossible (it being Sunday) to arrange it until bank hours the next day. I then requested him to give me his check, or checks, dated the next day, which he did, drawn, I think on the Bank of the U. States. Mr. David Dorrance, of the United States Hotel, cashed one of the checks, and the other, I think, was cashed by Mr. Geo. Riston, at the same place—though of this I am not positive. I recollect that I declined receiving Baltimore funds from a gentleman at the hotel, who, I presume, had been solicited to cash one of the checks for me. Between eight and nine o'clock that evening, I went to Mr. George Riston's to meet Young and Miller, and there had a private interview with Young, and paid him eight hundred and sixty-eight dollars, for which I took his receipt. At the same time and place, I had an interview with Miller, and paid him five hundred and sixty dollars, and took his receipt for the same. The business was done in the back parlor, the folding doors being closed. They agreed to send on the men, on the terms before stated. I paid them separately, no person being present. The men were to leave by the different lines, at seven, nine and five o'clock, the next day, with instructions to report to Noah Cook, at National Hall, Canal street, and some others, I think, at his place of business, on the corner of Broad and Water streets. Noah Cook was at this time one of the whig candidates for the Assembly, from the city of New-York. After my return, I was, during the whole three days of the election, almost constantly occupied in the private Committee room at National Hall. Marshall O. Roberts of the Fifth Ward, Cook of the Sixth Ward, John Faulkner of the Seventh Ward, Gedney of the Eighth Ward, and some others, whose names I do not now recollect, assisted us in our operations, by taking charge of the men, and seeing that they were properly disposed of in their respective wards, and enabled to put in their votes. Bowen, Blatchford and Draper, and some other prominent members of the party, were admitted into the private Committee room, where the men were drilled preparatory to their going out to vote. The *modus operandi* was witnessed by the

gentlemen named, and afforded them much amusement. In this room, I saw Mr. Blatchford hand Noah Cook some money.

To most of the men a slip of paper was given, with the name and residence they were to assume written upon it. The residences, in some instances, were furnished by leading members of the party from the different wards, and were such as would not be likely to excite suspicion. They were principally, I believe, boarding-houses, and such houses as were occupied by a number of families. The men were thoroughly drilled: many of them, it was represented, were old hands, and understood their business.

The method adopted was as follows: the men were placed in a row, and, as before stated, a piece of paper, with assumed name and residence, was given to them, the usual questions asked by the Inspectors, as to qualifications, were put to them repeatedly, until they could answer satisfactorily, and without embarrassment. Frequently alterations were made among the men during the election, by changing hats and coats among themselves. I recollect there were some persons from New-Jersey, who were under the immediate charge of Noah Cook. I do not know by whom they were employed or on what terms they were there; they appeared very efficient, and frequently changed their dress—*which changes were personally attended to by Noah Cook*. I saw him put his own hat and coat on some of them several times. These men boasted of having voted in several of the different wards, and in some instances more than once in the same ward. During the Fall election of 1838, Mr. William A. Lawrence, and Jonathan Nathan, assisted in the upper private Committee room at National Hall, in erasing the names from the democratic tickets, and substituting the names of the whig candidates, which tickets were used by the persons who were drilled as aforesaid. There was also a young man by the name of Coggershall, whose father was at that time, or subsequently, the keeper of the City Prison, who was also employed in preparing tickets. There was a difficulty with some of the men, in consequence of a part of their money being retained by the leader or leaders; and at the instance, and with the advice of Messrs. Lawrence and Nathan, I paid them, to defray their expenses to Philadelphia, one hundred and ninety-four dollars, which amount, less some small subscriptions, was returned to me, a few days after the election, by Mr. Richd. M. Blatchford. During the three days of the election, many of the active members of the whig party were admitted to the private committee room. I was perfectly satisfied, from the successful management of the operation, that the whig ticket would be elected in the city, and I so expressed myself to a number of the leaders of the party.

After the result of the election in the state was known, I was repeatedly solicited by many prominent members of the whig party to take office. The office of Commissary General, Adjutant General, Flour Inspector, and others, were named, which I declined. The appointment of Tobacco Inspector had never been suggested to me. I was informed that the term of the then incumbent did not expire until the winter of 1840, a year after the election of Governor Seward. The subject of the resignation of Mr. J. D. Stevenson was first suggested to me by Mr. Robert C. Wetmore. I met Mr. Stevenson and Mr. Nathaniel Pierce, by appointment, at the store of said Wetmore.

I had previously conversed with General Prosper M. Wetmore on the practicability of this arrangement. The result of this interview induced me to consult some of my party friends as to the propriety of making an effort to secure the office one year in advance of its expiration. Among those whom I consulted, I recollect Messrs. R. M. Blatchford, James Bowen, Chandler Starr, and Simeon Draper, Jr., all of whom, with the exception of the last named, considered it best to make the effort to obtain the appointment, for my own sake as well as for the interests of the party, and promised their co-operation in effecting that object. We had a meeting on the subject at the store of Mr. Draper, at which meeting R. M. Blatchford, Chandler Starr, Simeon Draper, Jr., James Bowen and Robert C. Wetmore were present. After this interview, about the 10th of January, 1839, I visited Albany. R. M. Blatchford, Moses H. Grinnell, James Bowen, Simeon Draper, Jr. and Chandler Starr left, I think, on the same morning for Albany, by the river route. I went by the way of New Haven. After my arrival in Albany I was introduced to Governor Seward by Mr. Blatchford, and delivered him a letter of recommendation, of which the following is a copy:

NEW YORK, January 11th, 1839.

To his Excellency WILLIAM H. SEWARD,

Governor, &c. &c.

DEAR SIR—This will be handed you by my personal friend, Mr. James B. Glentworth, of this city, who although not personally known to your Excellency, will, I doubt not, be recognized as one of the most ardent and indefatigable partizans, to whose untiring exertions, perhaps more than to any other in this city, the recent triumph of our party and success of sound principles may be attributed. He will explain to you personally his wishes, and hand you, at the same time, letters recommending him to your consideration. In conclusion, I must be allowed to say that I consider it as a mere act of justice to this gentleman to state, that there is no person from this district who can present the same character of claim for office upon the party, and I shall feel myself as personally gratified if they should meet the favorable consideration of your Excellency.

With great regard,

Your Excellency's ob't serv't

R. C. WETMORE.

I had another very strong letter to the Governor, but whether I gave it then or sent it previous to my visit to Albany, or delivered it at all, I cannot now recollect. This letter was signed by only a few influential party men, and I think no names were signed to it except Messrs. Blatchford, Grinnell, Bowen, Draper, Starr and Wetmore. I recollect distinctly of Mr. Wetmore's handing me the letter, after he had procured Mr. Grinnell's signature. The reason why the letter may not have been used is the fact that the gentlemen who signed it were there to urge my claims in person, except Mr. Wetmore. That they were all in the city of Albany, and put up together at the Eagle Tavern, will appear by the register. Their names are entered on the 10th day of January, 1839. During an interview which I had with Governor Seward, he remarked that I was not an applicant for the office of Tobacco Inspector, and suggested my making the application in writing, which I immediately

complied with. Mr. Stevenson drew his resignation and placed it in the hands of Mr. R. M. Blatchford, with a perfect understanding that I was to be nominated in his place. It will be remembered that the Governor was much embarrassed at this time in the confirmation of his nominations by the Senate, a majority of that body being opposed to him in politics. The subject of Mr. Stevenson's resignation and my appointment was kept perfectly quiet, and it was supposed by us that the Governor only waited the action of the Senate upon some of the nominations then before them, and that when they were disposed of, my nomination would be sent in. There were rumors afloat that Thurlow Weed was opposed to my having the appointment, and that he had an agreement with Mr. Charles Oakley, by the terms of which he, Mr. Weed, was to receive five thousand dollars if he procured the office for him at the expiration of Mr. Stevenson's term. Whether there was any foundation for these rumors I had no means of ascertaining positively, but in consequence of them Mr. Stevenson became dissatisfied; and his suspicions were increased by the fact that my nomination was delayed, and he stated to some of the delegation, and to myself, that he believed there was a design on the part of Weed and the Governor to use unfairness in relation to the appointment. Previous to this time, Messrs. Blatchford, Grinnell, Bowen, Draper and Starr had returned to the city of New York, and Mr. Stevenson's resignation was placed by Mr. Blatchford in the hands of Noah Cook, without his knowledge or consent. Mr. Stevenson was alarmed and dissatisfied with Mr. Blatchford for entrusting it with Cook, as were also some of our delegation, who thought Mr. Cook was exercising more influence with Governor Seward in relation to the city appointments than his merits entitled him to.

Mr. Stevenson and myself stayed at Congress Hall, and we were in daily confidential intercourse with the members of the delegation and other prominent persons of our party who were at that house. Of the number was a gentleman connected with the press of this city, of high character and attainments, and who I have reason to know was cognizant of the arrangement between Mr. Stevenson and myself. This gentleman has since become satisfied that the pledges of Governor Seward were "but as a sounding brass and tinkling cymbal."

My nomination was made to the Senate on the 19th of February, 1839, and I believe unanimously confirmed. On the day of my appointment, Governor Seward desired, through Mr. Lyman, (the agent or engineer of the Erie Railroad Company,) that the delegation would address a letter to him recommending me to this appointment. The request was immediately complied with, every whig member from the first Senate District, and every member of the Assembly from the city of New York, signing the same. I then returned home and entered upon the duties of my office. I had many applications for the subordinate situations under my control, which, from the nature of my arrangements, I could not grant. Much dissatisfaction was expressed by my party friends, in consequence of my retaining those adverse to us in politics, and rumors were rife that I had compromised myself and the interests of the party. I could make no explanations, and was compelled to listen to their reproaches. The spring election was near at hand, and this probably kept some of them in check. I still con-

tinued a member of the Young Men's General Committee, although, after liquidating the liabilities which we had incurred, and which were of considerable amount, I resigned as Chairman of the Finance Committee.

The whig papers of the city of New York approved of my appointment, with the exception of the American, as the following extracts, which, having at hand, I insert, will show :

"It will be seen by an advertisement in another column that Mr. James B. Glentworth has been appointed Tobacco Inspector for this city. The appointment is highly judicious, and cannot fail to give general satisfaction to the mercantile community. He has secured the services of Mr. Nathaniel Pearce as his deputy—formerly United States Consul at Bremen, and for many years extensively engaged in the tobacco trade."

"Among the appointments recently made at Albany, is that of Mr. J. B. Glentworth, Tobacco Inspector of this city—an office, the duties of which, we doubt not, he will discharge with fidelity and perfect satisfaction to the public. It will be seen by his advertisement, that he has employed a gentleman of high character and long experience in the business to assist him, which will secure a faithful and judicious discharge of the duties required."

Thus ended the campaign of 1838, and such, so far as related to myself, at that time, were its results.

The success of our fraudulent operations in 1838 had been of such a character, and produced such results, as to warrant, at least, the attempt to bring the same influence to bear upon the spring election of 1839. In the early part of March of this year, the matter was again suggested to me. It was at this time the decided and expressed opinion of some of the leaders of the whig party in this city, that we must be defeated at the approaching charter election. Much anxiety was felt and expressed on the subject; the importance of our success canvassed; and, finally, it resulted in a direct proposition to me to carry out the Philadelphia operation again. This I peremptorily declined, alleging, among other reasons, that I was filling an important office; that I had previously been suspected and *charged* with unfair management by some of the papers of the other party, and that, under such circumstances, I would be closely watched. These reasons, independent of any moral obligation, which alone should have been sufficient to have checked any further solicitation of me to aid again in the perpetration of frauds upon the elective franchise, were disregarded. We had succeeded before, and exposure had not followed. We were elated with the success produced by that operation, and anticipated the like success and gratification, if we again resorted to the same means to obtain it. It was contended that I was under obligations to the party; that no one was acquainted with the men in Philadelphia whom it would be necessary to employ; and also, that it would be unsafe to entrust the matter to any other person. I was also urged to embark in the operation as a matter of interest to myself. It was stated to be my duty to take a more active and decisive part in favor of the party. It was also alleged that the committee and others were dissatisfied with me, from the fact that I had not been as active as I was previous to my appointment to office. *The moral tur-*

pititude of the transaction was never mentioned. We acted upon this principle, "all is fair in politics." I however consented to give the proposition my consideration. A short time after my attention was called to the subject, and, according to my present recollection, on the same day, I saw Mr. Jas. Bowen, and conversed with him in relation to it. The result of my interview with him awoke again all my party feeling and party pride, and I decided to embark once more in a transaction which I shall never cease to regret. I agreed to go to Philadelphia and make the arrangements for the men, but with the express stipulation that I would have nothing to do with them in New York; that committees or persons must be selected to take charge of and superintend their operations. I had frequent conversations on the subject of selecting proper persons to manage the men after they should arrive in the city. It was concluded that it would be the most effective to divide the men into small parties, and I named several as proper persons to take charge of them. Among those mentioned I recollect the names of P. McArdle, J. F. Raymond, Zenos Wheeler; but at the same time I stated that Noah Cook was the only person competent to be entrusted with the entire management of the men, for the reason that he had experience in the business, having participated largely in the affair of 1838. I was also to be freed from all responsibility in procuring persons to superintend the operations of the men in the city of New York.

About the 20th of March, 1839, I went to Philadelphia to make the arrangements for the men, similar to those made by me in the fall of the year 1838. I called on Colonel Swift, (the mayor of the city of Philadelphia,) at his office, and was introduced by him to Recorder Rush. It was election day. Colonel S. informed me that he and the police had been on duty most or all of the preceding day; that he had a large force in the room adjoining his office, to be used in case of necessity. On my arrival I immediately commenced making arrangements. I saw Miller, Saunders, Swint, Thornton, and others. Mr. Bela Badger called on me in company with Mr. J. D. Wolfe, of the Northern Liberties, and introduced him to me. I also saw some of our political friends from Southwark. I was invited to attend a caucus to be held at Mr. Badger's house. I went, and met some ten or fifteen gentlemen. The object, as I understood, was to submit the whole subject to them, and to make such arrangements to carry the same into effect as might be determined upon. Mr. Badger, after introducing me, remarked that I was among the "bone and sinew" of the Third District, and that I might speak out without reserve; that they were all good and true men. This was the substance, and, according to my recollection, the exact language used by him on that occasion. I stated to them, briefly, the object of my visit to Philadelphia, and asked their co-operation. This they agreed to, and left it, with Mr. Badger, to arrange directly with me for the force I would require from the Northern Liberties. A day or two after my arrival I received the following note from James Young:

MR. GLENTWORTH:

Sir—I have gone to Baltimore, and will be at home on Saturday next.—Every thing is right. If you have any thing to say to me you can leave it in a letter at the Mayor's office, or in the care of Mr. Gibbs, who will take good care of it.

Yours in haste,

JAMES YOUNG.

Philadelphia, 23d March, 1839.

MR. GLENTWORTH, U. S. Hotel.

After progressing with my arrangements as far as I considered advisable, I returned to New York on the 30th of March. A few days after my return I received the following letter from Mr. Bela Badger:

PHILADELPHIA, April 2nd, 1839.

Dear Sir—It will be impossible for me to send you a bill of lading at this time for your yarn. I find more difficulty in getting your order ready than I anticipated. I think, however, the order can be completed in time to answer your purpose, but I cannot send the bill yet. The terms of payment you propose will likewise be an objection. My partners are not willing to serve you on any better terms than what they charged you before, and the same credit. I think, on the whole, if you were here in person you could do better, and as the order is of some importance, I would recommend you to do so without delay. If you should come on this week, please ascertain, previous to leaving, to whom the goods are to be consigned in your absence, as I may wish to ship some of them before your return.

With much respect, your ob't servant,

GEORGE W. RHAWN,

293 North-second street.

This letter was addressed to Mr. G. A. Wilkins, No. 17 Broad street, New-York, and I presume at my suggestion, as I was a partner, at that time, in the house of Messrs. Wilkins, Rollins & Co. The assuming of the name of George W. Rhawn, and this mode of correspondence, was suggested by Mr. Badger, and acquiesced in by me. A few days after the receipt of this letter, I went to Philadelphia again. Immediately after my arrival, I saw Mr. Badger, and others, who were interested in aiding in carrying out my plans. I had repeated interviews with him, and others, at this time and previously, at my rooms at the United States Hotel, and at other places. At one of these interviews, it was suggested by Mr. Badger that I should employ some of Mr. Robert Looney's men, in place of those furnished by James Young, and others, from the city proper. He informed me of some of Mr. Looney's political operations, and said he considered the men he could furnish would be more efficient. Mr. Looney, I think, was represented as a plumber, who was employed to do the work for the Corporation of the city of Philadelphia, and had a great many men at his disposal. I was introduced by Mr. Badger to Mr. Looney, at the residence of the latter, and I immediately communicated to him the object of my visit. He said considerable about his confidential party services, some of which were certainly very singular; and during the conversation, he occasionally appealed to Mr. Badger for a confirmation of his statements. I made up my mind to employ him. I paid Mr. Looney seven hundred dollars on account, at Evans's Hotel, in George street. I met him at this place in pursuance of an appointment made between him and Mr. Badger. Mr. Badger and myself arrived first, went into a private room, and were soon joined by Mr. Looney. He furnished me with a list of thirty-five or forty names, from which some four or five were erased. These men, I think, were furnished at twenty-five dollars each; all the rest were furnished at thirty dollars each. Mr. Badger was present when I made the payment to Mr. Looney.

On the 8th day of April, 1839, I received the following letter:

NEW-YORK, April 7th, 1839.

Dear G.—I shall not be able to come, or send the requisite, this P. M. or tomorrow morning, but you may depend upon seeing me at 12 M. Monday night, with all you have asked. Go on, and make your arrangements, on that basis—not calculating on any earlier period for your return than Tuesday, 7 and 8 A. M., with all we shall look for.

Yours, &c.

W. C. SCOTT.

JAMES B. GLENTWORTH, Esq., Marshall House.

This letter, which is now in my possession, is in the hand writing of Henry W. Havens. Mr. Havens was one of the Secretaries of the Whig Young Men's General Committee at that time.

Previous to my leaving for Philadelphia, I was given to understand that money sufficient to cancel all my engagements there would be forwarded to me. I would not have gone, without the requisite amount of funds, but for the receipt of Mr. Badger's letter of the 2nd of April, 1839, signed George W. Rhawn. From the tenor of that letter I feared there might be some difficulty, and I went on with means of my own, to use if it were necessary, to keep the parties quiet, part of which I was compelled to use before Mr. Havens' arrival. On the Monday night referred to in the letter from Mr. Havens, signed W. C. Scott, at about eleven o'clock, I went, in company with Charles Swint, to the railroad depot, to await the arrival of the cars from New-York. We went there in a hack. I left Swint in the hack, and waited on the pavement until the passengers came out. I met Mr. Henry W. Havens. We went to the hack together, and, at my suggestion, we were driven to Sanderson's Hotel, in Fourth, near Arch street. The reason why this house was selected, was because it was more retired and out of the way, and I was fearful if he went to the United States Hotel, or was seen with me, it might excite suspicion. On our arrival at Sanderson's, we went into the bar-room, and Mr. Havens handed me a package of money, which I counted, and found short fifty dollars. I mentioned this, and Mr. Havens replied that he had retained it for his expenses. This package contained twenty-nine hundred and fifty dollars. A fictitious name was entered on the register at Sanderson's Hotel. I may have suggested this to Mr. Havens, and may have written it; but if so, it was done in his presence, and with his entire concurrence. My impression is, that the pen was handed him by the clerk, and that he entered on the register Charles Daura, New-York. It was now past twelve o'clock—no persons were in the bar-room except Havens, Swint, the clerk and myself. I paid Swint five hundred dollars, and took his receipt. The object of Swint's going with me that evening was, to get funds to pay some men, who, he represented were at rendezvous waiting for it. I only remained with Havens, at Sanderson's, ten or fifteen minutes, and did not see him again in Philadelphia that spring. I think he informed me, when I left him, that he would return to New-York the next morning.

I must here advert to the affidavit of Henry W. Havens, taken before the Recorder of the city of New-York, on the 20th day of October, 1840; and in doing so, if I know my own heart, I am free from any unkind feeling towards him. I regret that his judgment has been influenced, and that his own act has placed him in a position that I doubt not he has often bitterly repented. I publish Mr. Haven's affidavit entire, and comments on the same.

Henry W. Havens appeared as a witness on the subpoena.

Knows James B. Glentworth ; has known him for years past, but has seen but little of him lately ; I saw him in Philadelphia in the year 1838, I think, I am not sure, I was there in the spring of 1837, and either the spring or fall of 1838, is not certain which, but think not in the fall ; I have no distinct remembrance as to the time. I took money on to him at one of the occasions I have mentioned ; I do not recollect the precise amount ; I think it was something like a thousand dollars ; I do not think it was two thousand ; it was in bank bills ; it was done up in a package ; must have been bills ; I understood it was money ; the person who gave it to me said it was money ; I do not know his name ; he was a young man ; I have seen him frequently ; don't know his name ; know no part of his name ; don't know where he lives ; do not know where or how he is to be found ; have not seen him for about two years ; I was in my office when I received the package ; I presume he was told I was going to Philadelphia ; I did not ask him ; I do not recollect he said anything particular ; he merely handed it to me ; he may have made some casual remark ; I do not know who it came from ; I might guess ; I will not undertake to say whether it came from one or more ; I had been told before I was to take a package to Philadelphia ; I decline answering who told me I was to take on the package ; the request that I should bring on the money came from Mr. Glentworth ; Mr. Glentworth I found in Philadelphia ; I had no knowledge of his being here in this city at the time I received the money ; I received a note from Mr. Glentworth to that effect, that money would be handed me ; I have not the note ; he said the money would be sent to me ; he did not name the source from whence I would receive it ; note was very brief ; after the note of Glentworth was received, did not converse with any one about the package of money ; I did not know where to find Glentworth ; I put up at my usual place of stopping at that time, the United States, and found him there ; he met me in the street as I was going up to the house ; have no knowledge how or by whom the money was raised ; I had met the young man who gave me the money in the street, and frequently at whig meetings ; I went on to Philadelphia to bring my sister home ; the young man was not, that I know of, a secretary or officer of whig meetings ; I do not know whose writing was on the envelope ; it was shortly before an election, I think, but am not positive ; all conversation I had with Glentworth about the packages was, I had brought on the packages he had written about or something to that effect ; I do not remember any thing being important conversation, or that impressed it upon my mind ; nothing said about his being successful ; he broke the package open ; I saw bills, but cannot state what bank ; they were all \$100 bills ; I thought it singular, and therefore purposely refrained from asking any questions about the money or its object ; I saw Glentworth only for a few moments ; he opened the package and counted the money, and said it was correct ; on my return I never asked any persons about it that I know of ; young man who gave me the package ; may have seen him once or twice since, but never spoke to him about it. I saw him in the street, and at whig meetings ; I had no belief that it was forwarded to Mr. Glentworth for election purposes ; I may have been present when the amount of money spent by Mr. Glentworth was spoken of, but do not recollect

when it was, or where it was ; has heard Mr. Glentworth spoken of ; has not heard the amount forwarded to Mr. Glentworth spoken of.

Knows nothing about means forwarded to Glentworth, except what I took ; I do not know persons came on here to vote ; don't know James Young, of Philadelphia ; I was at the United States Hotel, and was there a day and a half, having arrived in the afternoon of one day ; stayed there one day, and left the next morning ; no fictitious name was given for me that I know of ; as far as I know my name was put in the book ; if any other name was put there it was an imposition upon me ; I brought my sister with me ; I was not there in spring of 1839 ; I never carried any money there for Glentworth, except upon this occasion ; no one present but myself and Glentworth when I paid the money to him.

HENRY W. HAVENS.

Taken and sworn before me this 20th day of October, 1840.

ROBERT H. MORRIS,

Recorder of the City of New York.

COMMENTS.

Mr. Havens was in Philadelphia, and I believe with his sister, in the spring of 1838. I recollect distinctly meeting him there in the street, in the neighborhood of the United States Hotel. I was there to meet some of my family on their return from spending part of the winter at Washington ; they were under charge of friends as far as Philadelphia, and I joined them by appointment there. I have my bills at the United States Hotel, dated March, 1838 ; and I think it was at this time I saw Mr. Havens. I was in Philadelphia for the purpose named, and with no reference to political matters. I did not see Mr. Havens in Philadelphia in the fall of 1838. He did not bring on funds to me at any other time than in April, 1839. There was no necessity for his bringing on funds to me in the fall of 1838, for it will be recollected that it is conceded that I came on to New York, was recalled by a letter brought me by William A. Ford, and after making the arrangement for the funds in part by Mr. Draper's draft on William Gill, of Philadelphia, as before referred to, I returned to Philadelphia to consummate my arrangements. It was three thousand dollars that Mr. Havens was entrusted to bring on to me, and which amount, less fifty dollars deducted for his personal expenses, he handed me ; this is in accordance with his letter, signed W. C. Scott, of the 7th April, 1839. How is Mr. Havens enabled to express an opinion as to the amount, if "it was done up in a package" ? He says : "*I think it was something like a thousand dollars ; I do not think it was two thousand ; it was done up in a package ; must have been bills ; I understood it was money.*" Mr. Havens hazards an opinion as to the amount contained in the package, without being enabled, in his own mind, to determine whether the package certainly contained bank bills or otherwise. Was the package sealed ? Is it not somewhat singular that a person should be selected and entrusted with a package containing three thousand dollars, to hand Mr. Havens, who was an entire stranger ? And remark, who informed him that it contained money ? Was this the effect of accident or design ? Although Mr. Havens stated he was ignorant of the name and residence of this person, will he deny that he knew him to be in the employ of the very individual whom he *might guess* sent the package ? Mr. Havens says : "*I*

had been told before I was to take a package to Philadelphia; I decline answering who told me I was to take on the package." And why decline? If Mr. Havens was so entirely ignorant and innocent in this business, why withhold the name of the person who told him that he was to take charge of the package? I may have addressed a note to Mr. Havens informing him that I was compelled to return to Philadelphia unexpectedly,—(the reason of that return was the letter from Mr. Badger, dated April 2, 1839)—and that he would be entrusted with some funds to bring on to me. I had, however, no interview that I recollect with him on this subject. It may have been suggested to me before I left the city that I had better give Mr. Havens some intimation before I started. It will be recollected that I returned from Philadelphia about the 30th of March, and that I went back again in a few days. Mr. Badger's letter, urging me to come on, is dated April 2d, 1839. I may have gone on the evening of its receipt or the following day. In the interim I had been very much engaged in assisting the joint Finance Committee of the Old and Young Men's General Committees in their collections. On the evening of the 1st of April, 1839, (for we always met of an evening,) I paid Mr. Shepherd Knapp five hundred and fifty dollars, which I had collected that day. Alderman Whitehead of the 14th Ward accompanied me to make the collections. On the 3d or 4th of April, 1839, I went back again to Philadelphia, for the reasons and for the purposes before named. Mr. Havens, in his affidavit, says: "After the note of Glentworth was received, did not converse with any one about the package of money." I regret the position in which Mr. Havens has placed himself by such inconsistent statements.

Towards the close of December, 1840, at my rooms at the Astor House, James Bowen informed me, in the course of conversation about these matters, that Havens had called upon him, in reference to bringing on the package of money, and to ask instructions, and that he told him he had nothing to do with it; and that Havens had also called on Mr. Blatchford at this time, and made the same inquiries.

Now, is it not apparent that Mr. Havens, in his eagerness to identify himself with an important confidential party movement, loses sight of all prudential considerations? Why did he not keep quiet? Was he told to move in the matter, or to call on any one? Certainly not. It was all arranged, and ready to be carried into effect at the proper time; for we find that the money ultimately comes into Mr. Havens's charge, under circumstances, as detailed by himself, at once strange and suspicious, and without any action or participation on his part. Mr. Havens swears: "He, (Glentworth, in his note) said the money would be sent to me. He did not name the source from which I would receive it." True: and why did you call on Mr. Bowen, Blatchford, and another? In a word—if the contemplated operation was a just and right one, it would bear scrutiny and investigation, if not, at the time, certainly afterwards; and when the object was attained for which that secrecy was necessary. What necessity for it, party or concealment? If that package of money, was to effect a legal and laudable purpose, why are the means of procuring that package to him, and by a stranger (at least to him, if he says so) concealed? Careless of the integrity of our ac-

tions and purposes, we seek, we defy investigation; it fortifies the innocent, and emboldens him to speak out, with manly bearing and honest pride, the truth. What has an *honest* man to fear from the truth? Mr. Havens says: "I did not know *where* to find Glentworth." True; and why? Because, in the hurry of leaving, I neglected, in the note he refers to, giving him my address. But he took the hazard, in the letter he wrote me signed W. C. Scott, to direct it to me at the Marshall House, Philadelphia. He also swears: "I put up at my usual place of stopping at that time, the United States Hotel, and found him there—he met me in the street as I was going up to the house." Now let us extract, from Havens's own letter, under the fictitious signature of W. C. Scott, of April 7th, 1839: "*but you may depend on seeing me on Monday night, at 12 M., with all you have asked.*" Mr. Havens's memory is again at fault. He went, on his arrival at the depot, Philadelphia, on the night of the 8th April, 1839, at nearly twelve o'clock, in a hack, with me and Charles Swint, to Sanderson's Hotel, as before detailed. Mr. Havens's name is not on the books of the United States Hotel at this time. More than a year since, I sent to Philadelphia, and obtained a transcript from the registers of the United States Hotel, and also from Sanderson's Hotel. The letters inclosing these transcripts, bear the post mark of November 17th and 19th, 1840, and are now in my possession. The fictitious name assumed by Mr. Havens, is on the register at Sanderson's, and the last name entered. It may be argued that the register may have been mutilated in the one case, and a name easily entered in the other. True; but Mr. Havens's name is not entered on the books at all of the United States Hotel; whereas, on the other hand, the name he assumed at Sanderson's Hotel, is not only found on the register, but on the books of that house, credited for the amount of his bill. Again, he swears: "*I never carried money there for Glentworth, except upon this occasion. I was not there in the spring of 1839.*" Now, it is not contended that I participated in bringing on persons from Philadelphia for a lawful and justifiable object, or for an unlawful and fraudulent purpose, except in the fall of the year 1838, and spring of 1839; and it is equally apparent, that there was no necessity for Mr. Havens, or any body else, to bring on funds to me, at Philadelphia, in the fall of 1838, for I was recalled by a special messenger a few days prior to the election; and that I did return to New-York, and again went back to Philadelphia, with the requisite funds, as before shown. These points are all conceded in the examinations of Messrs. Blatchford, Grinnell and Draper, taken before the Recorder of the city of New-York, in October, 1840. Now, what becomes of Mr. Havens's unqualified denial, that he was in Philadelphia in the spring of 1839? Mr. Havens's memory is lamentably deficient. After the receipt of the funds by Mr. Havens, the arrangements were consummated, and the men paid—some the whole amount, and others a part—by Looney, Swint and Saunders, and they were directed to report themselves to Noah Cook, at Masonic Hall: some of them may have received directions to Mr. Cook, at his place of business, on the corner of Water and Broad streets. The leaders of the party were in some, and I think in most cases, furnished with a letter to Mr. Cook, containing the names of the men under their charge. The men were to leave Philadelphia by different routes, and at different hours, in the seven

and nine o'clock morning lines, by railroad and steamboat, and by the evening railroad line. Of this I have no personal knowledge; such was the understanding, and it was a necessary precaution, so as not to excite suspicion.

I returned to New York on the second day of the election. I did not go, I think, to the Committee room at Masonic Hall until the next morning. I saw Noah Cook there; he had the general superintendence of the affair; also, Mr. J. Coggeshall, his son, H. W. Havens, J. H. Van Alen, and J. C. Brant, and others, some of whom I do not now recollect. There was also a young man by the name of Campbell, whom I was surprised to see admitted to the private committee room. I saw in the private committee room, and also in the large room adjoining, many persons, some of whom I recognized as belonging to the Philadelphia party. I also saw some of the same men that had been employed at the previous fall election, and who were represented as coming from New Jersey. They appeared to understand their business. I saw Noah Cook loan his hat and coat to these men, and change their hats and coats, so as to disguise and prevent their detection. I received, while at the Committee room, the following letters from Mr. Bela Badger, signed George W. Rhawn:

PHILADELPHIA, April 6, 1839.

Dear Sir—Permit me to introduce to your notice my particular friend, William F. Pittfield, who is about to visit your city on business. Mr. Pittfield is a young man of high respectability, in whom every confidence can be placed. Any civility you may have in your power to render him, while in your city, will be most cheerfully reciprocated by

Your obedient servant,

GEORGE W. RHAWN.

J. B. GLENTWORTH, Esq., New York.

PHILADELPHIA, April 9, 1839.

Dear Sir—I take pleasure in introducing to your favorable notice, John Muschant, George Fisher, and John Hurst, who are about to visit your city on business. Any civilities you have in your power to render them while in New York, will add to the many obligations already conferred on

Your obedient servant,

GEORGE W. RHAWN.

J. B. GLENTWORTH, Esq., New York.

I find among my papers a receipt from John Muschant, dated April 11th, 1839, for forty dollars, in full, and I think that I paid each of the others thirty dollars.

During the afternoon of the third day of the election, I saw, in the private committee room, a man who was represented to be Coulson, a police officer, from the city of Albany. I saw Noah Cook pay him money, but what amount I do not know. There was some very angry conversation carried on between Cook, Coulson, and a third person, whose name I did not ascertain; the amount of the conversation, I think, was dissatisfaction on the part of the men in reference to some portion of the money promised them being retained. Coulson, after receiving the money, was directed to get the men to the boat to return to Albany. The boat na-

med was not one of the regular boats of the North River Line; I think it was the Victory.

The men from Philadelphia, I understood, were variously disposed of; some were provided for at a house kept by a person named Mott, in Spring street, and others at Lafayette Hall, and elsewhere. I think, from Coulson's remarks, that his party were quartered at the last mentioned place. Of these matters I have no personal knowledge, and as I have before stated, did not make myself acquainted with, as I did not wish to be identified with their acts in the city of New York. Part of the men furnished by Mr. Looney were, as I understood, entrusted to the charge of Mr. McArdle, and that they become dissatisfied when they found that they were to be entertained at the Alms House, and had cleared out; most of them, I believe however, reported themselves at the Committee room afterwards. The way we managed to deceive the vigilance of the democratic Inspectors and challengers, was to take the democratic tickets, erase the names carefully with a fine pen, so as not to show through, and substitute the names of the whig candidates. This, of course, deceived the democratic challengers; they would not challenge what they supposed to be their own tickets. The whig challenger was informed by a slip, some time before, of the names he must challenge and then withdraw. This was also understood by the person offering his vote, and was arranged, in some instances, after the arrival of the men in the wards where it was proposed to vote them; but most generally the arrangements were perfected before the men left the private committee room at Masonic Hall. The democratic Inspectors and challengers were completely blinded. The whig challengers were also informed of the character of the person offering to vote, by a sign; a pin on the edge of the collar or cuff of the coat; sometimes by apparently an accidental chalk mark on the coat or edge of the hat. The modes of recognition were various, and frequently changed, so as not to excite remark or suspicion. The whig challengers knew their men, also, by the reply given to the first question put to the voter by the Inspector, as, for instance—What's your name, sir? WHY, my name is so and so. Another mode, was in presenting the ticket, which was done with the left hand, with thumb and first finger. These, and other various modes, were resorted to, to enable the whig challengers to act knowingly.

Mr. James M. Van Alen, and Mr. John C. Brant, were in the private Committee room together, at one time during the election—I think the second day. Mr. Van Alen said he would try his vote down stairs. The Sixth Ward poll was held in one of the basement rooms of the Mazoxic Hall. I loaned him my coat, at his request; and after the whig challenger was prepared, he went down, and on his return, in some ten minutes, said that he had voted. Mr. Van Alen was a member of the Whig Young Men's General Committee, and a resident of the Seventeenth Ward, at that time. It must not be supposed that this is an isolated case; for the sake of sound principles, I wish that I were enabled to record the fact that it was. But in those times of high party excitements, many, very many, perhaps of as good character and standing as Mr. Van Alen, actuated by what they supposed to be honorable and chivalrous impulse, resorted to expedients at once discreditable to themselves, and at variance with morals. The whole matter, in my opinion, was very badly managed; there was a want of system and arrangement. The men frequently boasted of their success. I heard one person say that he voted seven

teen times, and others that they had voted more than once at the same ward. I have a memoranda, made by one of the Philadelphia party, of his exploits. He said that he voted in the Eighth, Fourteenth, Fourth, Seventh, Ninth, Fifteenth, Sixteenth, Eleventh and Tenth Wards, on the two first days; and on the third day, the last day of the election, in the Fifth, Third, Second and First Wards; making in all thirteen votes. Mr. Noah Cook left the Committee room at about half-past four o'clock, with the intention, as he represented, of leaving that afternoon at five o'clock, for Albany, to resume his seat in the Legislature of the State of New-York.

In the beginning of the month of January, 1840, I went to Albany to make my annual return. Previous to this, stories had been circulated by men of my own party, who were opposed to my retaining the office I then held, that I was a loco foco—that I had openly admitted that I was a democrat—and therefore, they came to the conclusion that I ought to be removed from office; and, in fact, they went so far as to name others to fill my place. It is true that I had resisted the interference and refused to submit to the dictation of men who had no business to meddle with my affairs, and had incurred their further displeasure by refusing to remove Mr. Nath'l Pierce, a gentleman of high character and undisputed competency, against whom there was no other charge than the fact that he was the political opponent of the whig party. I had also refused to comply with their demand to remove Mr. A. S. Jarvis, my book-keeper, and others in the inspection warehouse who were competent and trust worthy, unless some other cause why I should remove them was assigned than the simple fact that they did not agree with me politically. In consequence of thus refusing to be controlled by others, I was proscribed by a faction, and hunted down, but I was determined not to be sacrificed without resistance. I did not mean to submit tamely to their oppression, and I came to the conclusion that if I was sacrificed, it should not be done with impunity. I had the power in my own hands, and it depended on them whether or not I should use it. They had commenced the war—I stood then on the defensive, but still was determined to attack, unless their conduct was fair and generous towards me. Before I started for Albany, I called on Mr. R. M. Blatchford, James Bowen and Simeon Draper, Jr. The two former promised to write to the Governor. Mr. Draper furnished me with a letter, of which the following is a copy. I did not deliver the letter; and it is still in my possession.

NEW YORK, January 11th, 1840.

Governor SEWARD:

Dear Sir—Mr. Glentworth goes to Albany to-morrow with his annual return as Inspector of Tobacco. In consequence of an impression which is abroad, tending to affect his office, he has requested me to write you on the subject. Not being in any way conversant with the article, or the duties of the office, I can say no more in reference to the matter than that he informs me he has obtained the signatures of all the dealers certifying to his having performed the duties to their entire satisfaction. So far as regards his political claims, I can certainly, up to the period of his appointment, testify to his *unremitting* labors in behalf of the good cause, having, in my opinion, been as active and energetic as any other individual in this city.

Very truly, your obd't serv't,

S. DRAPER, Jr.

I was also furnished with a letter on the part of the merchants and dealers in the tobacco trade, of which the following is a copy. I did not deliver this letter : it is now in my possession.

NEW YORK, January 10th, 1840.

J. B. GLENTWORTH, Esq., Inspector :

We, the undersigned, importers and dealers in leaf tobacco, deem it but common justice to say that the business of the Tobacco Inspection in this city has been conducted with ability, impartiality and dispatch, and that we repose full confidence in a continuance of its correctness, and of the facilities which we now enjoy under your administration of the office.

MRS. G. B. MILLER & CO.,
WILLIAM AGNEW & SON,
MASON & THOMPSON,
J. & H. MESSENGER,
RICHARD V. W. THORNE & CO.,
WILLIAM GERARD,
JOHN WILSON & CO.,
BOORMAN, JOHNSTON & CO.,
J. BOWEN SMITH,
JOHN MULLEN & CO.,
CHARLES ESENWEIN & CO.,
CORNELIUS DU BOIS, Jr. & CO.,
RICHARD IRVIN,
HOWLAND & ASPINWALL,
GOODHUE & CO.,
HECKSCHERS, COSTAR & MATFIELD,
MASTERS, MARKOE & CO.,
TRAVERS & ALEXANDER,
JOHN LAIDLAW & CO.

On the evening of my arrival at Albany, I called on Mr. Willis Hall, the Attorney General, of the State of New-York, at his lodgings, but did not see him until the following morning, at about 10 o'clock, at his office. I stated to him the disastrous consequences which would ensue if my removal was attempted. He advised me not to act rash or hastily. He informed me that Marshall O. Roberts, Henry W. Havens, and John C. Brandt, had recently been at Albany, and while there expressed hostility to me; and that Roberts had undervalued the services I had rendered to the party, and ridiculed the idea that the employment of the men from Philadelphia was as effective as it had been represented; and that Roberts stated to him, that most of the men, placed under his charge to vote in the Fifth Ward, deceived him; and that this fact, and other matters, had, as I understood him to say, been communicated to Governor Seward. Shortly after my return from Albany, I met Mr. Brandt in Chatham street, and had a conversation with him in relation to the matters of which Mr. Hall had informed me. He admitted, generally, the truth of the statement as made by Mr. Hall to me. After some explanations by me, Mr. Brandt said that he would write to Governor Seward immediately, and endeavor to counteract any unfavorable impression which he had cre-

ated against me. A few days after this interview, I again saw Mr. Brandt, and he informed me he had written to the Governor on the subject. I also saw Mr. Roberts, and accused him of attempting to injure me, by undervaluing the services I had rendered to the party. He did not deny it, nor the statement of the conversation with Mr. Hall before referred to. After my interview with the Attorney General, I called on Governor Seward, at his chambers, at the capitol; he appointed that afternoon, at four o'clock, to see me at his house. I went at the appointed time, and considerable conversation ensued. We had our interview in the large hall; he was seated on one of the settees, and I on the other. I told him of the rumors that were afloat as to his intention to remove me, and inquired whether there were any charges preferred against me; if so, for what, and by whom? He said that there was much opposition to me; that he had received a great many anonymous letters; that at the time of my appointment, and for some time afterwards, there was but one feeling, and that feeling was unanimous in my favor; and now every one was urging my removal. He referred to the appointment of Mr. John Gray, the Flour Inspector, and said that at the time of his appointment it was generally condemned, but that the public feeling now had become decidedly in his favor, or to this effect. I told him of my devotion and services to the Whig party—of some of the circumstances attending, and the character of those services, (referring to the election frauds.) I complained that I had been condemned unheard; alluded to the representations about the exaggeration of my services, in reference to those frauds, made, as I had understood, by Roberts and others. I showed him the letter from the merchants and dealers in the trade. I did not deliver nor use any other letter. A young man, I believe named Gedney, and I think a clerk in the employ of General John Lloyd, interrupted our interview, which was by no means satisfactory. The next morning I left Albany and returned to New-York. A few days after my return from Albany, I obtained and forwarded to Governor Seward, letters from General Doughty, George W. Bruen, and David Graham, Jr. Esquires. The letter of General Doughty is as follows:

NEW-YORK, January —, 1840.

His Excellency WM. H. SEWARD:

Dear Sir—Having taken some interest in the appointment of Mr. James B. Glentworth to the office he now holds, and understanding there is a disposition to remove him, it may not be out of place for me to say something on the subject. Mr. G. was, from 1834 to 1838, a close political associate of mine, and it is unnecessary to say I found him a very efficient coadjutor. He, like myself, was a seceder from the Jackson ranks, and assisted to organize that body of men, the Rank and File Party, to whose exertions, more than to any other, the predominancy of the party is attributable. And I had always supposed, that his *extraordinary* exertions were founded in principle. A person thus situated, and whom we have known to be *faithful*, and who had been rewarded for his services with an office, should not, in my humble opinion, be dismissed upon idle rumor, or accusation without proof. If persons have made charges against him (and I understand they have) vitally affecting his reputation, and which, if true, should not only produce his removal from office, but consign him to everlasting disgrace, they owe it to you,

to themselves, to the party, and above all to Mr. Glentworth, to substantiate them by irrefragible testimony—to admit their falsity, or to withdraw them. I have myself heard various rumors respecting Mr. G., but as yet have not been able to find any evidence of their truth. And it is a serious matter to dismiss from office, one whom yourself appointed, and who had been *intimately connected* with the party, and closely conversant with its operations from its first organization, and should not, in my humble judgment, *be done*, unless you should be furnished with indubitable evidence of faithlessness, incapacity, or treachery.

I have the honor, &c. &c.

GEORGE S. DOUGHTY.

Having known Mr. G. under the same circumstances as those referred to by Gen'l. D., I most fully concur in the suggestions contained in his letter.

DUDLEY SELDEN.

Both the letters from Messrs. Bruen and Graham were read to me and sealed. The last named gentleman, I do not believe, had the remotest idea that any frauds had been perpetrated. They were strong in my commendation. Mr. Bruen's letter spoke of the acquirements of a personal friend whom he advocated for office, and whom he named of course, and contrasted his distinguished reputation and attainments with another person, whom it was confidently thought would succeed in obtaining this appointment. He spoke of the latter as having produced some very bad translations from French works. In referring to me, he directly, and distinctly, alluded to the rumors charging me with participation in the election frauds, and offered, I think, some reasons to palliate the same on my part. The letter was every thing I desired; it was sealed, and handed me at Mr. Bruen's residence, and I forwarded it, by mail, to Governor Seward. About a week or ten days afterwards, Mr. Bruen, called to see me; I was out; he left word that he wished to see me—After dinner I went around to his house, and he took a letter from his pocket, which he said was from Governor Seward. I think he said, that he could not allow me to read the letter, as it referred to other matters. The Governor desired Mr. Bruen to say to me, that I need take no further trouble, or give myself any uneasiness about my removal, or to this effect.

The object I have in view, in alluding to this correspondence, (and which, under ordinary circumstances, I would consider inviolate,) of Mr. Bruen with Governor Seward, is to establish the fact of Governor Seward's knowledge of my participation in the frauds that were perpetrated on the elective franchise, at the election that elevated him, and returned from the city of New York, four whig members of Congress, two State Senators, and thirteen members of the Legislature of the state; besides all the county appointments, and thus securing to the whig party, the entire patronage of the state.

On Tuesday, the 20th day of October, 1840, I was served with a subpœna to attend as a witness, on complaint made against James Young, one of the high constables of the city of Philadelphia. The subpœna was signed Robert H. Morris, Recorder of the city of New York. It was served on me at about eleven o'clock, A. M. I at first declined a compliance with the requirements of the subpœna, and so informed the officer, and desired him to say to the Recorder, that I would attend the next morning; that I had business that required my immediate attention. On reflection, however, I determined to go over to the City Hall, and

make my own apology to Mr. Morris. I accompanied the officer, and was ushered into a room in the old Alms House, where I found Mr. Whiting, the District Attorney, and a gentleman whom I did not know. I inquired for the Recorder, and was told by Mr. Whiting, that he had associated Justice Matsell with him, and would return directly, or to this effect. I commenced to state that I had come over as a mere act of courtesy to the Recorder, to say, that I had some business that would occupy me during the morning, and that I would attend the next day, at any hour he might designate. I was stopped short by the District Attorney, who proposed to examine me forthwith. I think that I here protested against their authority to do so; and said, that the subpœna called upon me to appear before the Recorder as a witness, and as he was not present, that I would not remain. The District Attorney produced the law authorizing the Recorder to associate any justice with him. To obviate, however, this objection, Mr. Justice Matsell wrote another subpœna, and served it on me. I protested against the whole procedure. I was very much excited; told them that I was an American citizen; that I had rights, and that I would protect them against such inquisitorial proceedings. I said that we were not, thank God, in Spain, but in a free country. I was, I suppose, very intemperate in my language. I made an attempt to leave the room, and Mr. Matsell, I think, told the officer not to allow me; he stood before the door, which was, I believe, locked, and the key in the door. James Young was in the room when I entered, or came in with his counsel, from an adjoining room, a few minutes afterwards. Some short time after, the Recorder arrived, and proposed to examine me. I declined, and claimed counsel; this he said I had no right to; that I was a witness. Eventually, and when it was found that I would not submit to an examination, one of the officers was allowed to carry a note to Mr. J. Prescott Hall. Mr. Hall came up about three o'clock. I told him that I had refused to be sworn: he said that I had done right; but declined acting as my counsel, as he was on the whig congressional ticket. He left, promising to send Charles O'Connor, Esq., or some one else, to me. I think in the note I wrote Mr. Hall, I enclosed one for Mr. Blatchford, and I had sent one, previously, to Mr. O'Connor, who could not be found. I know that I felt some apprehension after sending the note to Mr. Hall, that the enclosure might be seen, and that I turned to the court, and observed, that I supposed the note to Mr. Hall would not be opened. The Recorder, or District Attorney, said, "Oh, no; to break a seal, is an indictable offence." I was without counsel; Mr. O'Connor could not be found, and Mr. Hall had not sent any one to me. Mr. Hall informed me the next morning, that he stopped at the Club, after leaving me, to find J. Blunt, Esq., and that after unsuccessful attempts, he gave it up, supposing that I had myself succeeded. At about eight o'clock, finding that I was still without counsel, I compromised the matter, by an agreement with the court, that I would testify as to my personal knowledge of Mr. Young. I had never seen Mr. Young in New York before this time, and I supposed that as his participation in the frauds was confined to Philadelphia, he would not be injured by my examination, which was to be confined to this point. I knew that Young was not in the city of New York during the election in the fall of 1833, and that, therefore, he had nothing to apprehend. At about nine o'clock, I was allowed to leave, after entering into a recognizance to appear on the following morning at twelve o'clock. I went

to Mr. Draper's; he was out, and I called again, as late as eleven o'clock that evening, without seeing him. On the following morning, October 21st, I went around to Mr. Draper's house to inform and consult with him, about the matter.— While I was at Mr. Draper's door, I saw Mr. Blatchford on the steps of Mr. Tompkins's house, immediately opposite; presently Mr. Draper came out, and seeing me, they crossed over, and I went with them into Mr. Draper's front parlor. I told them what had taken place, and asked their advice as to how I should act. They said that they were prepared to prove, that their participation in the affair, was only to procure persons to come on and identify and prevent the loco-foco party introducing illegal votes; and to show their understanding of the matter, Mr. Draper produced a copy of a letter, which they said had been sent to me by Ford. Mr. Draper read the copy of the letter, (which is embodied in Mr. Blatchford and Mr. Grinnell's examinations, and admitted by Mr. Draper in his examination, and which letter I shall have occasion, not only to refer to, but copy at length in my comments on the affidavits made by them.) I denied ever having received such a letter; *they laughed and said, that "they had sent it to me;"* but I did not tell them at this time, that I had preserved, and was in possession of the original letter sent to me.

I unqualifiedly denied ever having received the letter, a copy of which Mr. Draper had then read, and further remarked that such a letter would unquestionably have made an impression upon my mind that I would not have very soon forgotten. They insisted that it had been sent, and said "if I had not received it, it must have gone into the dead letter office at Washington." I left them to procure counsel, *after their repeated promises to stand by and sustain me.* I went over to the City Hall, and saw Mr. O'Connor; he was engaged in a cause. I also saw Mr. J. Prescott Hall; he explained why he had not sent some one to me the previous afternoon, and suggested one or two that I had better employ, and I think Mr. A. Crist was named either by him or Messrs. Blatchford or Draper previously. Mr. Hall informed me that there were several gentlemen at his house the night before in reference to this business; that if I accused these gentlemen, (meaning Blatchford, Draper, Bowen, &c.) "they would all swear through," and that their standing and numbers would completely destroy any statement I might make, or to this effect. At about one o'clock on this day, 21st October, 1840, I went to Mr. Blatchford's office in company with Mr. Crist. Edward Curtis, Ogden Hoffman, Moses H. Grinnell, James Bowen, Simeon Draper, Jr., R. M. Blatchford and Noah Cook were there. Mr. Curtis took me aside, and, after some conversation, advised me to go and see Mr. Benedict, and associate him with Mr. Crist as my counsel. Before going to Mr. Blatchford's office, Mr. Crist and myself went to the Alms House, and waited until half past twelve o'clock, and none of the court appearing, we left. I returned with Mr. Crist from Mr. Blatchford's office, and found Mr. Justice Matsell and the District Attorney. (On our way up, I stopped and saw Mr. Benedict; he promised to come, as Mr. Crist had business at Brooklyn, and was obliged to leave.) After some inquiries by Mr. Crist, after reading my affidavit and other papers, he informed me that I was at liberty to leave the room, that there was no authority to detain me. I took my hat and succeeded in getting out of the room, and was arrested in the passage way by an officer, who was placed there undoubtedly to prevent my egress. I came into the

room again and ascertained that I was arrested on a warrant; that James Young, of Philadelphia, had turned states' evidence, and made an affidavit directly charging these frauds upon me. And I subsequently learned that Young had been allowed to return to Philadelphia without bail for his appearance, this being the stipulation made for him by his counsel. The District Attorney now proposed to examine Mr. Stevenson as complainant against me. Mr. Stevenson said that he would not make the complaint against me; that he "would rather lie and rot in the Tombs first,"—(this, I think, was in reply to Mr. Whiting's remark, that he would coerce him to testify)—"that no power under Heaven would compel him to make the complaint." In this state of things, the District Attorney determined to make the affidavit of Young the ground of complaint, and to examine Mr. Stevenson to corroborate the same. The District Attorney now proposed my examination, and in reply to all the interrogatories that were put to me, I declined an answer, by the advice of my counsel, Messrs. Crist and Benedict. At about three o'clock I was allowed, on my parole of honor, to leave for an hour to take my dinner. On my return, at four o'clock, I found no member of the court present, but was informed by an officer that they were at dinner in a room opposite. I went in and reported myself; the District Attorney, Justice Matsell and Mr. Stevenson were at the table; they asked me to sit down with them at the table, and I accepted the invitation.

On the re-assembling of the Court, the District Attorney gave notice that he would oppose my being admitted to bail on authority. The Recorder, who had been absent, having arrived, desired to have time to consult the authorities, and admitted me to bail for my appearance on Saturday morning, at eleven o'clock. I was bailed at about ten o'clock at night, by Mr. Robert B. Coleman, and Mr. Charles A. Stetson, of the Astor House—myself in five thousand dollars, and each of them in twenty-five hundred dollars. This bail was furnished, without any solicitation on my part, by Mr. Edward Curtis. On Saturday morning, the 24th of October, 1840, I attended, with my Counsel, at eleven o'clock, A. M. At about half-past one o'clock, the Recorder having arrived, he expressed himself ready to hear the argument as to the question of bail. This my Counsel declined, and claimed that I should be admitted to bail as a matter of right. The Recorder, after consultation with the District Attorney and Justice Matsell, determined to receive bail in the sum of ten thousand dollars—five thousand dollars for myself, and two sureties each in twenty-five hundred dollars. This was objected to, by my Counsel, as excessive, as the alleged offence was only a misdemeanor, and the penalty for which was "a fine of two hundred and fifty dollars, or imprisonment in the county jail." "Well then," said the Recorder, "I will commit him—I am not afraid to take the responsibility." A commitment was accordingly made out, and I was placed in the custody of an officer. Mr. Benedict and Crist accompanied me to the City Prison. I went into the office of the keeper. Mr. Benedict left me for a few moments for a Commissioner. He had, before the commitment was made, the papers prepared to sue out a writ of habeas corpus. Mr. Benedict returned with a Mr. Dougherty, a Commissioner; the papers were taken out of Mr. Benedict's hat, and thrown on the keeper's desk, and he and Mr. Crist directed me to sign my name, I think in two places, which I did. I had never read the papers, but relied entirely upon my Counsel, having confidence in them. I had pre-

viously, and at the time I called on Mr. Benedict frankly told him, that the charges against me were true. I supposed that there were printed forms employed in cases of habeas corpus, instead of which I have reason now to believe that the papers I signed were purposely prepared to entrap me, and that it was done under the advisement of others. Messrs. Crist and Benedict were in constant communication with Mr. Edward Curtis, and others of the party, who met at Mr. Curtis's rooms nightly during the progress of these investigations. I do not consider myself as having committed any moral wrong, in swearing to the affidavit thus prepared for me. I was imposed upon, never entertaining the most distant idea that my counsel, one of whom was made acquainted with my participation in these frauds, would, from political considerations alone, lend themselves to an artifice to exact from me an indirect denial of what I had admitted in my examination, and which one of them, at least, knew I could not be induced to deny. That these plans were considered, and matured by others, admits scarcely of a doubt—the sequel will shew if my suspicions were groundless.

The habeas corpus was perfected; my counsel accompanied me with the officer to Judge Lynch; he had previously received intimation to remain at his office.—The Judge was there; the District Attorney was sent for; he came, and claimed a certain time to prepare himself on the return of the writ of habeas corpus. My counsel appeared to be *ignorant that he was entitled to this time, as a matter of right*. The Tuesday following was appointed by Judge Lynch to hear the arguments; neither of my counsel attended, the argument was not made, and the matter remained precisely as it was before the writ was sued out. I was compelled to renew my bail, in the same amounts as I had before given. I was kept in the custody of an officer, during the whole of this time, and until nearly nine o'clock on a Saturday night. I sent repeatedly to Mr. Stetson, stating my situation, and to Mr. Curtis. My counsel left me early in the afternoon. At about eight o'clock. Judge Lynch accompanied me to my rooms, at the Astor House, to provide my bail. I saw Mr. Stetson; he raised objections that if he did so, he would vitiate his agreement with his partner, and one of them was absent, &c. &c. He would do nothing without Mr. Curtis's advice, who was his counsel. I saw Mr. Curtis, and he said, that he would attend to it; and I also sent a friend for Mr. Pearce, who came down immediately. Mr. Pearce and Charles A. Stetson became my bail, each in twenty-five hundred dollars, and my own recognizance was taken for five thousand dollars. Mr. Edward Curtis accompanied Mr. Stetson to Judge Lynch's office. I was from the commencement opposed to this matter of habeas corpus. I strenuously resisted it, but was overruled by my counsel. The amount of bail was of no moment to me; that bail I well knew must be provided. What was the necessity to outrage my feelings, and the feelings of my family, by this course, on the part of my counsel? The persons who had become my bail were satisfied to remain so. Why was I subjected to this mortification? I am perfectly satisfied from these facts, and the additional reason, that one of my counsel was suggested by Mr. Curtis, that he and others had them under their entire control. My bail, as far as Mr. Stetson was concerned, was arranged by Mr. Curtis, through Mr. Crist, and his clerk, or partner in the first instance. My counsel were in constant communication with Mr. Curtis and others, at his rooms.

They could not move without prompting. Did they consider themselves as my counsel, or as the counsel of the parties, who it was charged participated in these frauds? Are the papers invariably employed in this city by counsel to sue out the writ of habeas corpus printed forms? If so, why the necessity of annexing any thing more? Comment is unnecessary; the reason is obvious on its very face.

On the morning of the 22d of October, 1840, Mr. Edward Curtis then a member of Congress from the city of New York, now the Collector of the Port, called on me at my rooms, at the Astor House. After some considerable conversation on the subject of these frauds, and of the charges then understood to have been made by Mr. Stevenson, he requested me to make an affidavit, to counteract any injurious consequences that might result from these disclosures. *I told him that I could not do it*: that the charges made by Mr. Stevenson were, in the main facts, correct; and that the information he had received from me, in relation to these frauds, was for the purpose of securing my re-appointment as Tobacco Inspector, an object in which he, as owner of the warehouse, had an interest in effecting.

I alluded to the persecutions of some of my political friends. Mr. Curtis remarked that he understood my position. On leaving, he asked me to come to his rooms. General George S. Dougherty was present in my room, and also in Mr. Curtis's room, with Mr. Bowen and Mr. Blatchford. Mr. Curtis produced an affidavit, which he read, and which he wished me to sign. I objected to signing it, on the ground that it was untrue, and gave a false coloring to the transaction. Mr. Curtis replied, "I know your position. *Do you think I would suffer you to make an affidavit, unless it was sufficiently guarded.*" I read the affidavit over, and again repeated my objection. Mr. Curtis replied with some warmth, "*I know how you stand; I know all about it; it is special pleading.*" This is the language, as near as I now recollect, and certainly the substance of the conversation that then and there passed.

I considered Mr. Curtis as my counsel. I had, although it was a matter of supererogation, told him of my active participation in these frauds. I signed the paper. Mr. Blatchford, Mr. Bowen and myself, had a good deal of conversation together. I expressed my regret that I had ever accepted office. I directed Mr. Bowen's attention to the fact of his having called on me after the result of the election was known in the fall of the year 1838, at my store, in Broad street, and asking me if I wanted any office, and that I declined, and said, that all I had to ask of my party friends was, that they would direct their business in my way, or to this effect.

I also told Mr. Blatchford what Dr. Samuel R. Childs had said; which he unqualifiedly denied. [This matter will be stated hereafter.] I accompanied Mr. Curtis to a commissioner's in Nassau street. On the way, I again expressed myself as not being perfectly satisfied, and said to Mr. Curtis, "*don't suffer me to do this, unless it is all right.*" He again replied, "I understand your position, it is all right." At this time, I was under great excitement, and, therefore, did not examine the affidavit as particularly, as under other circumstances I would have done. And that coupled with the confidence I had in the gentlemen in Mr. Curtis's room, and in his counsel, induced me to make the affidavit.

The next morning, having become satisfied that I had been deceived in relation

to the bearing of this affidavit, I called on Mr. Curtis, and told him that it was wrong, and that my name must be taken from it. Mr. Curtis then took the affidavit from his pocket, and tore my name from it. In a short time afterwards I again called on Mr. Curtis, and insisted on a return of the affidavit. Mr. Curtis took it from his pocket, and, with considerable warmth, tore it into pieces and handed it to me. The original affidavit, in the hand-writing of Mr. Curtis, is under my control. There are other circumstances connected with this affidavit that place Mr. Curtis in no very enviable light.

It was previously prepared and I think before Mr. Curtis's interview with me; and the evidence of the fact is, that Mr. Curtis, and the parties who prepared it, were ignorant of the christian-name of Mr. Pearce, and left it in blank; and afterwards, when I informed them, he inserted it. I have, within a few weeks, been informed, (and I believe that I can sustain the fact by good and substantial evidence,) that after I had objected to signing this affidavit, on the grounds before named, one of the gentlemen present remonstrated, and objected to anything further being said to induce me to sign it; that Mr. Curtis replied, "*Why, damn him, if he will swear to it, let him.*" Again, only a few weeks since, as recently as the 12th instant, in recurring to this interview in a conversation with General Doughty, (who, it will be remembered, was present at Mr. Curtis's room at the time) he said that he recollected that I objected to a certain expression, or sentence, and wished it altered or qualified, and that Mr. Curtis altered it; but that, instead of qualifying, he thought it rather strengthened it. I have no comment to make. It is not my purpose to assail, or to gratify any personal feeling.

They could not induce me to deny the general accuracy of Mr. Stevenson's charges. I knew myself guilty of participation in those frauds, and I have no hesitation in saying, that at this time, if I had been so lost to all moral obligation as to have resigned myself and conscience into the keeping of Mr. Curtis, and my supposed friends, that I would not only have been sustained in my office, but that I would have been restored to the confidence of Governor Seward, and the leaders of the party; that anything would have been conceded to me. But I could not bring my mind to add to the deep damnation that already encompassed me, by an act that would not only have forever forfeited my own self-esteem, but the respect of those whom I was then desirous to screen, but not at such cost. It is true, that I looked at the alternative. I saw myself dragged forth to the brink of a precipice, to be crushed with the weight of public odium. I saw the arrows of a fierce and malignant persecution concentrate on my head alone, as the master-spirit of the crime. I saw myself, in prospective, stripped of office, my family beggared, and my name and character about to be stigmatised with disgrace. I confess that I was staggered by the appalling abyss in which I alone was to be engulfed. Still, I could not be induced to swerve from what I considered to be right. No other sentiment than that of honorable devotion to these men and the party, governed my conduct. How these sacrifices—how the misery I have endured for more than a year past, were appreciated, and have been repaid, the public already know.

On the 23d day of October, 1840, I had another interview with Mr. Edward Curtis, at his rooms at the Astor House, at which interview I gave him the facts connected with my visit at Mr. Jesse Hoyt's house. I was desirous to regain

possession of the receipts, memoranda, &c. &c., and to prevent any further agitation of the matter. This I thought could be effected, as whatever information had been communicated by Mr. Stevenson, was communicated, as I understood, on a pledge of honor, not to be used unless my consent was first obtained; and I have no doubt, so far as the agitation of these frauds were concerned, that but for the appearance of Mr. James Young, and his arrest, that the knowledge Mr. Stevenson and others were in possession of, would not have transpired, at least at that time. It was argued that my indiscretion had brought the Whig party to this extremity, and that I ought to do all I could to relieve them, and counteract the statement of Mr. Stevenson, then published for the first time in the papers of that morning. Colonel Hamilton, Mr. Curtis, and myself, were the only persons present. I stated the facts, and Mr. Curtis commenced writing an affidavit. This affidavit was taken before J. O. Pirsson, Commissioner of Deeds, on the 23d day of October, 1840, and has been extensively published. In the commencement of this affidavit the following sentence occurs: "That within the last thirty days, at different times and places, in the city of New-York, he has been applied to, by Jonathan D. Stevenson, Benjamin F. Butler, United States District Attorney, Jesse Hoyt, Collector, and John W. Edmonds, to make statements that should implicate Governor Seward, and the leading friends of the Governor in New-York, in a charge of having countenanced frauds at the election in New-York, in the year 1838." When this sentence was read over by Mr. Curtis, I stated that I had never been applied to by them, (meaning Messrs. Butler, Hoyt and Edmonds) to make implications, or received from them any assurances that I should be appointed to office if they were made. Mr. Curtis then replied: "*You do not swear they all applied to you; it is sufficient that Stevenson has.*" This was the precise language I think Mr. Curtis used; it is certainly the substance. On receiving this explanation, I signed the affidavit, and, accompanied by Mr. Curtis, went to the office of the Commissioner. Previous, however, to which, before leaving the Astor House, Mr. Curtis opened the room adjoining his rooms, and called Hugh Maxwell, Esq. out, and said: "*Mr. Maxwell, I want you to witness that this affidavit is made without any promise of reward to Mr. Glentworth.*" I think that there were in the room from which Mr. Maxwell was called, many of the leading members of the Whig party from Albany, and from different parts of the state, who were congregated there on this business. When I was first solicited to make this affidavit, I declined peremptorily doing anything. I had determined to wait the action of others, and to be governed accordingly, and to remain perfectly quiet; and it was only at the solicitation referred to, and with a pledge from Mr. Curtis, and that pledge made to another, that I should not be sacrificed, that I should be sustained, that I consented to make it. But had I understood its legal bearing I would not have done it. How that pledge has been redeemed, the sequel will show.

At about seven o'clock in the evening of this day, Colonel J. Watson Webb called on me at my rooms, and requested me to place my name to a printed proof of the affidavit made on that morning. I did not read it over, and had no means of comparing it with the original, which was in possession of Mr. Curtis.

About the 20th November, 1840, I sent word to Mr. Bowen, having heard that he had just returned from Albany, that I wished to see him. He came on the next

day at about a quarter before three o'clock, P. M., and said that he had not received my message in time for him to call. (At this time Mr. Bowen was residing about nine miles from the city—he subsequently took up his residence at the Astor House.) He said that he had seen the Governor during his recent visit at Albany, and that he laughed a good deal at (what he termed) the conspiracy; that he had said nothing about displacing me. Mr. Bowen remarked that he had no opportunity to speak to the Governor, or to know his views on this subject; and said, "*of course you want to hold on to your office.*" I replied that I did; that I had suffered enough already, and that they were bound in honor to sustain me, or to this effect. He said that he had always been a warm friend of mine, and that he had used his influence in my favor when an attempt was made to remove me last winter. He advised me to remain perfectly quiet, and if there was any necessity to move, Mr. Draper or himself would see me. Something was said about the letter Mr. Havens brought on; that Draper had told him that I had the letter, and that it was written by him. This he disclaimed, and said that he had nothing to do with the operation in the spring of 1839. He said that Mr. Havens had called upon him for the funds, and to ask instructions, and that he had told him that he had nothing to do with it; and that Havens had also called on Mr. Blatchford for the same purpose. I informed him that Mr. Draper had misunderstood me; that I had in no way connected him with the affair in 1839, or Mr. Havens; that the letter in my possession was the one from him sent on by Mr. Ford to me at Philadelphia. "Yes, but that was in '38," was his reply—"the one that Blatchford, Grinnell and Draper refer to." Oh no, said I, I mean the letter that Ford actually brought on, and not the copy of a letter read by Mr. Blatchford and others. I also informed him that Mr. Draper, a few days previously, had admitted to me that he was not certain whether this letter was sent by Ford or by mail.—I told him that I had another person in my power. He replied, "Oh yes, but let him alone and keep quiet." This he enjoined upon me repeatedly during our interview. I called his attention to a call of a meeting of merchants, traders, &c. &c. in the papers of that morning, at the Second Ward Hotel, for the purpose of recommending a suitable person for Tobacco Inspector. He said that he had seen it, and that it was a loco feco movement.

Efforts were first made to indict me, before the Grand Inquest, at the November term, and failed; the charges were thrown out. During this period, I was in frequent communication with Mr. Curtis and the parties who were charged with participation in these frauds. Another attempt was made to indict me at the December term, and failed. I had several interviews and conversations with some of the members of the Grand Jury. I received a note from one of the members of the Grand Jury, which note I subsequently showed to Alderman Egbert Benson, at my rooms, and he asked me to allow him to destroy it, which I acceded to. I have seen a member of the Grand Jury repeatedly go into Mr. Curtis's room, and have received a visit, at my rooms, from another member, who was an entire stranger to me.

On Thursday evening, the 12th November, 1840, I met Mr. Blatchford and Mr. Draper in Broadway, near the corner of Warren street, at about 6 o'clock. They spoke familiarly to me, and we crossed the street, and, after a few minutes conversation, went into the Park, to avoid, I suppose, observation. A good deal of

conversation took place between us. I informed them that I had started upon a legitimate proposition, and whatever I had said to Mr. Stevenson was done with a view of strengthening myself in reference to my re-appointment. I adverted to the persecutions I had experienced from Mr. Wetmore and some of his friends; that Mr. Stevenson did not receive his information of my participation in these frauds, in the first instance, from me; that the *onus* of divulging the confidential operations of the party rested upon the person or persons who first gave Mr. Stevenson this information, eighteen months previously. They both expressed their friendship for me, and desire and determination to stand by me. Mr. Blatchford told me that he had seen Dr. Samuel R. Childs, and had asked him if he (Mr. Blatchford) had ever said that I ought to be removed from office, or spoken disparagingly of me; or if he (Mr. Blatchford) had ever said to him, in reply to the remark of Dr. Childs, "*that I would blow the whole of them to the devil*," let him do it as soon as he pleases," or to this effect—and that Dr. Childs denied ever having given me this information. (I had mentioned this matter to Mr. Blatchford a few days previously, I think in Mr. Curtis's parlor.) Whether Dr. Childs abricated the story, (as there was not, from what he said to me, any very kind feelings existing between him, Governor Seward, and the Governor's confidential friends, in reference to the management which prevented his appointment as Health Officer,) or whether it was true in all its parts, I do not pretend to say. The question of veracity is between them. Mr. Draper appeared to have forgotten all about the circumstances. He asked me whether it was a check or draft he gave me on Mr. Gill, of Philadelphia. I replied direct to this question; but when he asked me, "did I not swear correct or true in my affidavit," I made no reply, but turned his attention to some other circumstance, and thus parried his question several times. Mr. Blatchford remarked, that the first impression was that there was collusion between Mr. Stevenson and myself, and went on to say, "*but when they saw the stand I made, and firmness I evinced during the investigations, they were satisfied that I was true.*" Mr. Blatchford repeatedly said, "why, we have stood by you; hav'nt we carried you right through," (alluding to their examinations before the Recorder.) Mr. Blatchford said that he would never forgive, if he were in my place, Mr. Hall, for deserting me at a time when I so much required counsel and support, or to this effect. They both repeatedly assured me of their kind feelings towards me, and of the confidence they felt that I would never act a traitor's part towards them or the party. Just as we were parting, and in reply to a remark that was made in reference to Mr. Hall's deserting me, Mr. Blatchford said:—"You understand why we have not come forward and been with you." I replied, of course, that I did; that it would not have done for them to have been seen with me, and that I was satisfied. In going out of the gate, Mr. Blatchford said: "If we do not come to see you, the same reasons still operate to prevent us." And Mr. Draper replied: "Why, if you want to see us, you can send a note." I said that I would, and we parted. During this conversation, some facts were adverted to by me of an entire personal character, and which have no reference to these frauds. While we stood talking in the Park, near the Warren street gate, Mr. Thurlow Weed, and Mr. Spencer Benedict, of Albany, (on their way through the Park to the Court, to attend, as one of them said, Captain Stephen Roe's trial or running the steamboat De Witt Clinton into the Napoleon,) stopped a moment,

and spoke to Messrs. Blatchford and Draper. I do not know that they recognized me: it was quite dark.

On Saturday, the 14th November, 1840, I met Mr. Draper, in company with Mr. Sidney Brooks, in the hall of the Astor House. I spoke to them, and asked Mr. Draper to come up in my parlor and see me, which he did in a few minutes afterwards. I told him that I had received a note, which I read to him, from Mr. Pearce, declining any further advances to me. I said that it would be useless for me to hold the office for the remainder of the term, unless I realized some advantage from it. He said that the papers were assailing Governor Seward, and charging him with being afraid to remove me; that appearances, and public opinion, might require a change. I asked him if he thought it practicable for me to secure a part of the income of the office by resigning. He said that he thought some arrangement might be made, so soon as the person was determined upon, but that he must have nothing to do with the terms; we must manage that ourselves. I named Alderman Benson; Mr. Draper was very much taken with it. Something was said, that a person who had been charged with participation in these frauds, but particularly in the frauds of the year 1839, denied all agency or knowledge of the affair. I told Mr. Draper that I should like that person to call at my rooms, and that I would refresh his memory, or have a talk with him, and satisfy him that I had the means to fix it upon him conclusively. He replied: "I wish to God you could; but it will not do."

During the day, (Saturday, November 14th,) Mr. Draper left word with Mr. Samuel Coleman that he would call on me, at my rooms, at seven o'clock. He called at the time stated, and expressed a wish that before he moved in the matter we had conversed about in the morning, to see the papers I had in my possession relating to the frauds. He asked if I had any objection to his seeing them; if so, that they might be examined by some other person. That they would not ask that the papers should be taken from my custody, or burnt, until every thing was arranged to my entire satisfaction, and until whatever it was agreed I should receive from the office, was secured to me by notes or in some other way. That the person selected to fill my place, when approached, might be restive, and think that he could get the whole office, and that it should be secured beforehand. I told him that the papers were in Colonel Hamilton's possession for safe keeping. He inquired if they were sealed. I said yes. He did not wish Colonel Hamilton to know any thing about his seeing me, and said if I wanted him to do any thing I must treat him with confidence and frankness. In reply to his remark that the letter he and others swore to was sent to me by Ford, I told him (as I had previously done in presence of Mr. Blatchford, at his house, the morning after my being subpoenaed, and when he read what he said was a copy of a letter sent to me by Ford, that "I had never received that letter, and that I then heard it read for the first time,")—the letter sent to me by Ford was still in my possession. He appeared desirous that I should get the papers the next day. I told him no, for Colonel Hamilton will suspect something. It was then proposed that I should defer it for a few days, and that when I was ready, and wished to see him, I could write a note to him. After leaving the parlor, and when he got near the stairs, he came back. I stood in the door, and he cautioned me to keep the matter from Colonel Hamilton. One reason assigned by Mr. Draper during this conversation, was that Colonel Hamilton disliked him. He said that on a recent occasion, when

Colonel Hamilton came into the room, where some of our party friends were consulting, (at the Astor House, during the investigation before the Recorder,) he, Mr. Draper, had treated Colonel Hamilton roughly, because he insinuated that he knew of our participation in these frauds.

On the 25th of November, 1840, I sent a note to Mr. Draper, asking him to call at my rooms. I was desirous to see him, having received a note from one of the grand jurors, (which note was subsequently burnt by my consent, by Mr. Benson,) and being informed that there was some apprehension that I would be indicted. Mr. Draper called, and when I informed him of what I had learnt, he told me that he had seen Mr. Richard Mount, and that he would send up some persons, who would impeach Mr. Stevenson. Mr. Draper, during this interview, alluded to my resigning; that I could do something now, but that in a short time I would find myself in a situation where I could make no arrangement. He proposed my seeing Mr. Edward Curtis, provided I was disposed to resign. I assented to see Mr. Edward Curtis. In the evening at about seven o'clock, Mr. Edward Curtis came to my parlor; part of my family were in the room at the time; after they went out, Mr. Curtis asked me, if I was prepared to make the arrangement. "*Were are the papers?*" I replied, in Colonel Hamilton's charge.— "*Then you can do nothing unless you have them.*" He desired to know my views. I said that I was disposed to resign, provided a certain amount could be secured to me. That I would take the receipts from the storage, or refuse tobacco. He said, "no; whatever is given, must be given out and out, for your unexpired term." I asked him if he had any idea of the emoluments of the office. He said, "oh yes; some seven or eight thousand dollars a year." I replied that it was worth more. After some considerable conversation and parleying, he made me a distinct offer of two thousand dollars, which I declined. He then said, "why, that is equal to eight thousand dollars a year, for you have but about two months of your term," or to this effect. "It is all you can get; it is the ultimatum." On leaving, he said, "*it is of no use to see me again, unless you accede to my proposition; and after to-morrow morning you may consider it at an end, for if I were to offer you four thousand dollars, Colonel Hamilton would tell you not to take less than eight thousand dollars.*" During this conversation Mr. Curtis alluded to an affidavit sent to Governor Seward. He said, "so you have been making an affidavit." I replied, that I had not; it was made by Mr. Stevenson. Mr. Curtis said that the Governor had not received it. Mr. Curtis also alluded to my threatening the parties implicated in these frauds. This I denied. But you have said that you have papers, &c. &c., showing their participation. I replied that I may have said so, and that it was true. "But you have no letters," said Mr. Curtis, "Oh yes, I have, and, among others, the very letter, Mr. Ford brought on to me." The other, said to have been sent, I never received, and know nothing about it. The original letter I have is written by Mr. Bowen. Allusion was made to the frauds of 1839, and the active participation of others referred to by me, the circumstances under which I consented, and the stipulations made, before I would have anything to do with it. Mr. Curtis's reply to all this was, "But you won't be believed." I then said that I thanked God that it did not depend alone upon my declarations, and that I had evidence sufficient to substantiate all I might charge.

In thus refusing Mr. Curtis's offer of two thousand dollars for my papers, let not

my motives be impugned as mercenary; let it not be supposed that I was in the market, ready to be purchased up by either or any party that would give the most for them. Those documents were all I possessed to prove the intimate participation of others in these discreditable transactions. They were the only means left me to relieve myself of at least a part of the odium that otherwise would have attached itself to my name, and thus have affected my children. And it was, and has always been my determination, when the time arrived—when, with honor, a proper regard to my personal safety, and when party feeling and strife had subsided, and given place to cool, deliberate reflection, to lay before the public these documents and narratives. I have now done so, without the interference or solicitation of others. It is my own act, uninfluenced by any one. I have neither asked, or received any favor or gratuity. I present them as a matter of justice to the people, and throw myself on their intelligence and generosity, assured, in my own mind, that they will accord to these pages a candid perusal.

After the conversation last alluded to, with Mr. Curtis, on the same evening, at about eight o'clock, I saw Mr. Caleb Little, a member of the Grand Jury, Mr. Mount and Mr. Brooks, of the Express, together, in the rotunda of the Astor House, in conversation. Mr. Mount informed me that some persons would go before the Grand Jury, the next morning, to impeach Mr. Stevenson. This I knew could not be done: his standing and integrity as an honorable and high-minded man, would protect him from any successful attack of that character.

On Thursday morning, December 23d, 1840, I was in the reading room of the Astor House, looking over the Albany Evening Journal. Doctor John S. Bowron came up, and said: "How do you do, Glentworth?" I replied, "Why, doctor, how is it that you speak so familiarly to me now, when, for the last three months, you have scarcely recognised me?" He replied: "Why, I thought you meant to injure the party; if you had suffered the others to meet what they deserve, you would have done right." We had a good deal of conversation about my being persecuted on all sides, and about my position not being understood by the public. He went on to say: "Why, don't you recollect my being at Masonic Hall during one of the days of the election, in the spring of 1839? I wanted to see a member of the Assembly, and was told down town that I would find him at Masonic Hall. I wanted him to take charge of a letter to Mr. Penrose, (I think this is the name, but am not positive.) I stopped on my way home, saw Noah Cook and yourself, and saw him change coats with a man." In reply to the question, "Doctor, did you see me interfere, or do anything?" he said, "No; but I heard you ask a man who was there,—one of the voters,—where are you from? He said from Albany. You replied: damn it, you must not say so—you must not answer so." In about ten minutes after this conversation, I left the room, leaving Doctor Bowron engaged reading the papers. I called Doctor Peter S. Townsend, who was in conversation with some gentlemen at the north window, in the main entry. As we were conversing, and just as we reached the door of the reading room, Doctor Bowron came out, and spoke to Doctor Townsend. He asked him what kind of a man Reuben Bromley was. Doctor Townsend made a reply unfavorable to his character, and went on to show his conduct in reference to the Seaman's Retreat. A good deal of conversation passed between them, immaterial to the matter for which this statement is made. During one of the pauses in the conversation, I said: "*Why, Doctor Townsend, Doctor Bowron has just in-*

ed me that he saw Noah Cook change his coat with a man, in the private committee room, at Masonic Hall, during one of the days of the election in the Spring of 1839." I detailed the remainder of the remarks of Dr. Bowron, all of which he admitted, but urged Doctor Townsend and myself to consider it as confidential. After Doctor Bowron left, I requested Doctor Townsend to make a memorandum of the conversation, which he desired me to do, and he would sign it. I immediately reduced to writing the facts as they occurred, which were read to Doctor Townsend, and approved of by him.

In the early part of the month of January, 1841, I had several interviews with Messrs. Bowen and Draper. The former had recently returned from a visit to Albany. About this time, there were rumors of the appointment of Mr. Egbert Benson as Tobacco Inspector, published in the papers. On reading the article, I went immediately to Mr. Bowen and informed him of it. He did not appear surprised, but advised my seeing Mr. Benson at once. I went around and met Mr. Benson on his steps, and asked him if he had been appointed. He thought not, and that the announcement was premature. He said that his name would go, or had gone, in to the Senate for confirmation the day before. He informed me that he was just coming to see me, and that he would be with me soon. In about ten minutes he called; we had considerable conversation in my room. He wanted to know my views. I told him that Mr. Charles A. Stetson, some short time previous, had said that I ought to make them give me fifteen or twenty thousand dollars, to commence business again. Mr. Benson appeared perfectly astounded when I mentioned so large an amount; but regained his composure, when I informed him that I would be content to receive the receipts for either the storage, or refuse tobacco. I told him that I had first named him to Messrs. Bowen and Draper, with a view of securing to myself something from the office. He said, that it would not do for me to have any interest then, but that he would see in the course of a few days what arrangements could be made. He informed me that his affairs were embarrassed. I said to him distinctly, that I did not wish this matter to be considered a gratuity. That it was nothing more than what I was equitably entitled to. He said, "*whatever is done, must be considered for your unexpired term, or for the information you may furnish me with in reference to the management of the inspection.*" I assented to this proposition, regarding it as a mere *subterfuge* to shield others, and to be used in case any allusion was subsequently made of the connection between Mr. Benson and myself. He was very facetious, and laughed at the idea of my being indicted. The cloven foot soon shewed itself. *He wanted to have a look at my papers.* A previous attempt, after it was known that the Recorder had not obtained all the papers, had been made to ascertain the character of those remaining in my possession, or under my control. I showed Mr. Benson some of the papers which had but just then been returned into my possession. He made a good many grimaces, and appeared astounded at their contents. He was very eager to get them into his keeping, and said, "*you ought to seal them up, and give them into the possession of some one. Will you have any objection to let me have them?*" I said, why certainly I have; they cannot go out of my possession. He then wanted to know if I would consent to destroy or *burn them*, after the arrangement was consummated. I said that I would. It was at this interview, I think, that I showed him a note that I had received from a member of the grand jury. He said, "*why don't you*

destroy it? You do not want to injure, or implicate him; let me burn it."— I told him to do so, and he threw it into the fire. He urged me repeatedly to seal my papers, and not to suffer them to be seen. He left, promising to call and see me again, very differently impressed as to my power to *prove the participation of those whose agent I considered him*. He called the next morning, and appeared to be willing to do all that he could; but said that he was embarrassed, and had but very little funds. He expressed anxiety about the papers; urged me to be careful, and not to suffer any one to see them: to seal them up. That they had better be destroyed; and again made an offer *to take care of them for me*, subject, I think he said, to my control, which I declined. He thought that I had better go away for some time. That the charter election was approaching, and the whole matter would be enacted over again in the papers. New Orleans and other places were mentioned. He also stated that he might raise two thousand dollars, which he would furnish me with, and arrangements might be made for me to draw one thousand dollars more, if I required it. It will be borne in mind, that there were no indictments against me at this time. Two grand juries had thrown out the charge. Another grand jury, the foreman of which was a leading whig, was then occupied with this investigation, and a similar issue was confidently looked for. At this interview I told Mr. Benson that I required a few hundred dollars for my immediate expenses. He said that he would hand it to me. He brought me a part of the money that evening, and the residue in a few days afterwards.

On the 12th of January, 1841, a supersedeas was served upon me, by Nathaniel Jarvis, Clerk of the city and county of New York. On the 26th of January, the grand inquest found seven bills of indictment against me. I saw Mr. Benson that morning; he informed me that he was apprehensive that the grand jury would indict me. He assured me, however, that the engagements he had made with me would not be effected by this result, and that the amount he had named, should be secured. He subsequently repeatedly gave me the same assurances. He urged upon me the *necessity to keep perfectly quiet; to converse with no one on the subject*— and that I had nothing to fear from the indictments, as they could not be sustained. By the mail of this day I addressed a letter to Mr. Edward Curtis, then a member of Congress from the city of New York, and now the Collector of the Port, of which the following is a copy:

NEW YORK, January 26, 1841.

Sir—I have this moment learned from Alderman Benson, that the Grand Jury, now in session, will probably find a bill of indictment against me to-day. He has this information from a source that may be relied upon. This result is most unexpected, and I hasten to inform you of it, from the fact of the interest you have already manifested, and for the additional reason that, being conversant with my position, I may have the advantage of your judgment, and such suggestions as you may feel disposed to make.

In great haste, your obd't servant,

J. B. GLENTWORTH.

Hon. EDWARD CURTIS, Washington City.

This letter was shown to a friend, and mailed. I received no reply to it. In the evening of this day, I learned from several sources that the Grand Jury had indicted me.

About the middle of February I was much embarrassed for funds. Mr. Benson had promised, from time to time, to furnish me with what I required. Day after day, and week after week, were these promises renewed and disregarded. My patience became exhausted.

Immediately after I was indicted I had an interview with Messrs. Blatchford, Bowen and Benson. They were desirous that I should employ Mr. Charles O'Connor as my counsel. I had been approached several times, within the last few days, on this subject. It was necessary that some immediate action, on my part, should be made to secure his services, as I was required, by a notification from the District Attorney, to plead to the indictments the following morning. They felt, and could not well conceal, their anxiety. I appeared indifferent about it. Mr. Benson urged me to go down and employ Mr. O'Connor, and the matter of his compensation would all be attended to. I was unwilling to move, unless the money was furnished beforehand, for I had already felt the reliance to be placed on his promises. I had another object in not moving in the matter: I was determined that Mr. O'Connor should be seen by some of these parties first, so as to afford me additional evidence of their participation in these frauds. At about four o'clock of this afternoon, Mr. Charles A. Stetson met me in the rotunda of the Astor House, and asked me if I had employed counsel. I said that I had not. He remarked that he considered that he had a right to see that I was provided with good counsel, as he was my bail. He asked me to go down and see Mr. O'Connor. I appeared indifferent, and evaded expressing any determination on the subject. At last—for he could not contain himself longer—he told me that *Mr. O'Connor had been waiting in his office to see me for the last two hours*. I asked him how he knew that; and, after a good deal of prevarication, and not till I had peremptorily refused to go, or move in the matter, unless Mr. O'Connor had been previously seen and his fee paid, he said that Blatchford and Bowen had informed him of it, and that everything would be arranged to my satisfaction. A short time after this, I saw Mr. Benson; he appeared very anxious that I should see Mr. O'Connor that afternoon or evening, and gave me every assurance that Mr. O'Connor should be paid, and that he would attend to it. But I had made up my mind, and their anxiety confirmed my resolve not to move unless they furnished the money. I was not satisfied with promises. Mr. Benson left me for a few minutes, (we stood near the ladies' drawing-room of the Astor House,) and went into Mr. Bowen's parlor. In a few minutes, they came out, and conversed together. I had on that day, informed Mr. Bowen that I would not move one step, unless Mr. O'Connor was seen before, or the money furnished to pay him. Mr. Benson came towards me, and said that he would see Mr. Stetson, and borrow it of him. I said no, that I could borrow it myself; and that I would do so, provided he would hand it, with some other funds I required, to me, on Monday. This he said he would do; and I borrowed one hundred dollars of Messrs. Coleman and Stetson. It was handed to me by Mr. Coleman. I went down to Mr. O'Connor's office, in Wall street, and inquired of a gentleman, (whom I have since ascertained was his partner, Mr. E. Derry,) if Mr. O'Connor was in. He informed me that he had been waiting some length of time, but had left shortly before. I told him who I was, and inquired if he knew whether Mr. O'Connor had been seen on my business. He said: "*Oh yes;*" that Mr. Blatch-

ford had been with Mr. O'Connor on that, or the day previous. I returned home. In the evening, I again saw Mr. Benson, and, I think, Messrs. Blatchford and Bowen. Mr. O'Connor had left word with Mr. Derry, that he would see me at nine o'clock the next morning. At the appointed hour I called, and, introducing myself, said: "I presume Mr. Blatchford has seen you on my business." He replied, *that he could not answer that question; or, that it was not necessary for me to know that; or to this effect;* that he did not desire me to say anything in reference to my participation in these frauds; that when he required any information on any point, he would ask it; that he did not require to be informed of the facts; that the object now was to get rid of the indictments. I left Mr. O'Connor with the understanding that I would meet him at eleven o'clock, at the Court of Sessions. Mr. O'Connor appeared at that hour, and asked to be furnished with copies of the indictments. He expressed his intention, instead of moving to quash, to demur to the indictments, and went into an argument and explanation of the distinction. It was postponed, with a view to enable Mr. O'Connor to prepare the necessary papers, &c. &c.

I saw Mr. Benson the evening of this day, at the Astor House; he had promised to leave me some money, but did not do it. I told him that I had still the \$100 for Mr. O'Connor; that I had not handed it to him. Mr. Benson told me I could use a part of this, which I could make up from the monies he would hand me on Monday. On Monday I obtained copies of the indictments, and handed them to Mr. O'Connor, and paid him fifty dollars. He informed me that he would expect to receive two hundred dollars more, and that the subsequent charges would depend upon the trouble he had; that he did not wish to practice in the sessions; and that he had made it a rule never to attend to business in that Court for less than two hundred and fifty dollars. I informed Messrs. Blatchford, Bowen and Benson, of the fee Mr. O'Connor required; and the latter, who was the manager on these occasions, promised to give me the money to pay him.

I was still without the means to pay Mr. O'Connor the balance of his fee and to defray some indebtedness of my own, that I had promised, on the assurance of receiving monies from Mr. Benson. In this situation I determined to ask the favor of a loan from Mr. Bowen. And I wish it to be distinctly understood, that this was the first and only favor that I ever solicited at his or at the hands of either of the parties implicated in these frauds. Independent of Mr. Bowen's declarations, I had repeatedly been informed of his friendly disposition towards me. Among others, Dr. Samuel R. Childs had told me so. I had made every effort to screen him, and to prevent his name appearing as a participator in these frauds. I considered him a man of honor. The following is a copy of the note which I addressed to him:

TUESDAY MORNING, February 16, 1841.

My Dear Sir—You will greatly oblige me with the loan of \$350, for a few days. I would not ask this favor at your hands, but for the neglect of Mr. Benson in meeting his engagements. Predicated upon assurances from him, I assumed, some few weeks since, a responsibility which I am compelled to meet to-day.

Yours, very truly, &c.,

J. B. GLENTWORTH.

JAMES BOWEN, Esq.

In about an hour after this note was dispatched, Mr. Benson came up to see me. He was in a perfect fume. He said that Mr. Bowen was quite angry that I had made such a request of him. I told him that the necessity on my part, in making this request, was attributable to the non-performance of *his* engagements with me. That I could not understand why Mr. Bowen should be angry. I felt indignant at the treatment I received, and so expressed myself. Mr. Benson cooled down, and said that it would not do for Mr. Bowen, *as he was situated, to comply with my request*; but that he would give me what I required, and named, I think, the next day. Mr. Benson's "promises were as thick as blackberries." I saw Mr. Benson once or twice after this, and it was at each time, a *promise*, and on the 23rd of February, I addressed a letter to him, of which the following is a copy:

ASTOR HOUSE, February 23d, 1841.

Dear Sir—I regret to address you upon other than an agreeable subject, but there is a "point beyond which forbearance ceases to be a virtue." The repeated violations of your engagements with me, and your perfect indifference last evening, when informed of the pressing necessity which urged me to importune you, leave me but little to expect in reference to the fulfilment of ulterior assurances.

You are aware that a part of the funds which I now require, and which you have promised me for the last three weeks, from time to time, to furnish me with, are to liquidate a responsibility incurred at your instance, and that of Mr. Bowen, to employ Mr. O'Connor as my counsel. On Friday morning last, at your house, you promised to hand me the amount on the following day before three o'clock, and you called at seven in the morning to say, (as you informed me last evening,) that you could not give it, because Mr. Bowen, who had promised to let you have it, was out of town. In my intercourse with you, I have acted with the utmost confidence and candor. I have submitted most of my papers to your inspection, and been influenced to a certain extent by your advice; if you desire it, I am now content that your participation in the premises should cease. Your name, for the appointment you now fill, was first suggested by me to Mr. Bowen, with an understanding that some thing should be done to compensate me for my unexpired term, if you please, or for any information or suggestions I might furnish you in relation to the management of the inspection.

There has been but one feeling which has actuated my conduct since the agitation of the election frauds of 1833, '39. Although my name has been branded from one extent of the country to the other; although I have been assailed with a vindictiveness, as unjust as it was uncalled for; although removed from office, ruined in a pecuniary point of view, still have I kept my honor unsullied. I have had the moral courage, under all these circumstances, and when I have seen friend after friend desert me, to stand the firmer, to act with honor towards those who had confided in me; to remain true to my party and its interests. I will admit that I may have acted indiscreetly, and that my confidence was abused.—But have I not suffered enough already, or are these considerations why one, whom it is conceded, has rendered as much good service as any other in the state, towards a perfect organization of the whig party, should be hunted down and trodden under foot? I am disposed to let the matter rest, and bear the odium of having, in my zeal for my party, for my country and its best interests, committed a great moral wrong; namely, secured to that party, by my individual exertion nearly, if not quite eighteen hundred votes; returning four members of Congress,

all the city and county appointments. It is bad policy to agitate the public mind further on this subject. Do not force me to leave my position. Do not drive me by violation of your pledges to me, to become the assailant. I pray you to solve me the inconsistency of the anxiety manifested to obtain the papers in my possession, if those papers contain nothing in themselves tending to implicate others, or throw light on the subject referred to? Why did Mr. Curtis offer me a specific sum to destroy them? Why your anxiety to get them out of Colonel Hamilton's possession, and then destroy them?

Your most obd't serv't,

J. B. GLENTWORTH.

EGBERT BENSON, Esq.

Receiving no answer to this communication, I addressed a second letter to Mr. Benson, of which the following is a copy:

ASTOR HOUSE, February 25th, 1841.

Sir—I addressed a letter to you, on the 23d instant, which remains unanswered. Lest there should be any misconception on your part, or supposed neglect on mine, to apprise you of my determination, I now address you again, to say that it becomes necessary for me to take some decisive measures to bring this subject to an issue. Although I do not think it incumbent upon me to inform you what measures I may resort to, in defence of my rights and reputation, still, from the friendly relations that have existed between us, I consider it due you to say, that if, in adverting to any participation or agency of others, I am obliged to use your name, it will not be caused by any unfriendly motive, but merely as a connecting link in the chain of unquestionable evidences, both documentary and otherwise, I may be called upon to employ. For the issue of this controversy will not alone depend upon my declarations; for I have sustained myself at every point, with proofs as irresistible as they are conclusive. The mere publication of two of the several affidavits in my possession, will enlighten the public mind here, and at Washington, and materially affect the interests of some of the prominent applicants for responsible trusts in this city, under the General Government. You will recollect that I am goaded on to this course by the repeated violations of your engagements with me, and that you have been afforded timely advisement.

Your most ob't serv't,

J. B. GLENTWORTH.

EGBERT BENSON, Esq.

I received no answer to this letter. A few days afterwards I addressed a note to Mr. Bowen, of which the following is a copy:

ASTOR HOUSE, March 4th, 1841.

Sir—Under much excitement of feeling, I addressed two letters to Mr. Benson on the 23d and 25th ultimo, to which, I presume, he has taken exception. My situation here is most unpleasant, and he has been aware of it. Founded on his assurances, I am disposed, for the sake of my own feelings, and of my family, to yield to his suggestions. I am apprehensive of much annoyance, previous to the coming election, and I wish to avoid it by leaving the city. I appeal to your sense of honor and justice, to urge upon Mr. Benson the fulfilment of his engagements.

Your most ob't serv't

J. B. GLENTWORTH.

JAMES BOWEN, Esq.

A few days after this letter was written, I met Mr. Benson coming from behind the green curtain of the private office of the Astor House. He passed, scarcely

speaking to me, and then only to complain of the letters I had written to him. A few minutes afterwards, I asked Mr. Charles Stetson if Mr. Benson had left any funds for me. He said "no; but that a little boy had brought a package." I then inquired if he would receipt my bill. He said yes; and he receipted the same for four hundred and forty-four dollars and fifty-four cents—being the amount due to the 1st of March. After he had receipted the bill, I told him that Mr. Benson handed him the money. He appeared confused; and, after a few moments, having regained his composure, he laughed, and walked away, without making any reply.

The hearing of the argument on the demurrer, was postponed from time to time until the 12th April, 1841. In the interim, I had received several notes from Mr. O'Connor, informing me of these postponements. The balance of Mr. O'Connor's fee remained unpaid, although I had promise after promise that it should be attended to.

The following is a copy of a note sent this day to Mr. Benson:

NEW YORK, April 7, 1841.

Sir—Mr. Stetson has just informed me that he has a very large payment to make to-morrow. You will oblige me by handing him the amount of my bill at as early an hour as you can conveniently. I received, yesterday, a note from Mr. O'Connor, informing me that my case is set down for argument on Saturday next. I have assurances from the Recorder that there will be no delay in this matter—that it will be disposed of at once. I trust that you will be prepared, so soon as I am relieved from this most unpleasant business, to carry out your engagements with as little delay as possible.

In haste, your ob't serv't,

J. B. GLENTWORTH.

EGBERT BENSON, Esq., 56 Warren street.

I received no reply to this note. On the 12th instant I wrote him again, as follows:

NEW YORK, April 12, 1841.

Sir—It is with extreme regret that I am compelled to address you again on the subject of my communication to you a few days since. My case was argued this morning before the Recorder, and I have no doubt, from the confidence Mr. O'Connor evinced, that the whole matter will be disposed of to my satisfaction. I have now nothing to desire but the fulfilment of your engagements with me, predicated on the result of this most distressing ordeal, and I trust that your arrangements to this end will be made with as little delay as possible.

Your most obd't serv't,

J. B. GLENTWORTH.

E. BENSON, Esq., Warren street.

On Tuesday, the 13th of April, 1841, I received a note from Mr. O'Connor, as follows:

MONDAY.

Pear Sir—I expected to have seen you again before the argument of your case, and was much surprised that you did not attend. The argument has been partly heard, and now stands adjourned until Saturday next, at twelve o'clock. Unless I see you before that time, you must not expect me to attend any further to the case.

My partner, Mr. Derry, can receive your commands, as well as myself, should you call in my absence.

Yours, &c.,

CHAS. O'CONNOR.

J. B. GLENTWORTH, Esq., Astor House.

On the receipt of this note from Mr. O'Connor, I enclosed it to Mr. Benson, and addressed the following letter to him :

NEW YORK, April 14, 1841.

Sir—I received the enclosed yesterday from Mr. O'Connor. In my interview with him on Monday, he informed me that he had no apprehension whatever as to the result ; that the whole matter would be disposed of at once, and to my satisfaction : that the District Attorney had conceded that the indictments could not be sustained. I trust that you will not consider me importunate. I have written to you twice, and am without a reply to either communication. I desire nothing more nor less than an adherence to your engagements with me.

If this matter, now so happily in a train of adjustment, is to fail, or at least be retarded, by your non-compliance or delay, the fault is not with me. You counselled me to employ Mr. O'Connor, and assured me that he should be paid. If, in either of my letters to you, I have wounded your feelings, or at any time indulged in intemperate language, I beg to recall the same, and to assure you that it has not been occasioned by any disrespect. And my apology is in the fact that, since the 15th day of last October, I have acted under strong excitement, and too often, perhaps, under wrong impulses, for I have been goaded almost to madness by the position I am compelled to sustain.

Your most obed't serv't,

J. B. GLENTWORTH.

E. BENSON, Esq.

The further argument on the demurrer was set down for hearing on the 17th of April, but was postponed. On this day I sent a note to Mr. Richard M. Blatchford, of which the following is a copy :

NEW YORK, April 17th, 1841.

Sir—I received a note from Mr. O'Connor, a few days since, informing me that the further argument of my case was adjourned to this day, at twelve o'clock, and that unless he heard from me previously, (that is, unless he received the balance of his fee,) he would not further attend to the same. I sent this note to Mr. Benson, on its receipt, as it was at his instance, and under certain assurances, that I employed Mr. O'Connor. I am as yet unadvised whether he has attended to the same, and as it is certainly desirable that this most unpleasant business should be disposed of, I have thought it best to write you, that Mr. O'Connor may be seen on the subject.

In great haste, your most obed't serv't,

J. B. GLENTWORTH.

R. M. BLATCHFORD, Esq.

I called upon Mr. O'Connor, on the morning of this day, and informed him why I had not paid him the balance of his fee. The further hearing of the argument was deferred to the 20th instant. On the morning of that day I received another, and the last note from Mr. O'Connor, which was as follows :

NEW YORK, April 20th, 1841.

Dear Sir—Although I do not consider it necessary to superadd notices to those previously given, I now inform you that your case will come on for further argument this afternoon, at four o'clock, and that I shall not appear.

Yours,

CHAS. O'CONNOR.

JAMES B. GLENTWORTH, Esq., Astor House.

On the receipt of this note, I determined to let matters take their course ; and if the parties who were as much interested as myself, to dispose of it, shewed no

more concern than was evinced, to give myself no further uneasiness. When I saw Messrs. Blatchford, Bowen and Benson, they appeared to think that the indictments would be quashed. I showed the note from Mr. O'Connor to Col. Hamilton, and addressed a note to him, asking him to ascertain the precise situation of matters, and how far the argument had progressed. I had previously informed him of all the circumstances attending Mr. O'Connor's being employed as counsel.—Colonel Hamilton's reply to my letter, is as follows :

NEW YORK, April 21st, 1841.

Dear Sir—On the receipt of your letter, with the contents of which I am much surprised, I called at the office of the District Attorney, and found that he was engaged at the Court of Sessions. I shall, therefore, not see him before morning. In the meantime, I would suggest the importance of employing other counsel, and recommend Cutting, Shaler, or Morrill, with instructions either to continue the argument on the demurrer, or to effect some arrangement to discontinue the present proceedings, and proceed to trial. Let me hear from you immediately, that the proper steps may be taken.

Your obd't serv't,

A. HAMILTON.

J. B. GLENTWORTH, Esq., Astor House.

On the morning of the 26th of April, 1841, Colonel Hamilton informed me, that he had seen Mr. O'Connor, and that he expressed himself very much dissatisfied. I was unwilling to submit quietly to the imputation of refusing compensation to him for his services. I was determined that he should understand why the balance of his fee was withheld ; and at the suggestion of Colonel Hamilton, I addressed a letter to him, which he was authorized to show Mr. O'Connor. The following is a copy of that letter :

ASTOR HOUSE, April 25th, 1841.

My Dear Sir—I address you, to state the circumstances attending my employing Mr. O'Connor as my counsel, not only injustice to myself, but to disabuse his mind, as I am satisfied, from the conversation you had with him this morning, and which you have detailed to me, that he has not been disposed to accord to me that consideration which, as his client, I had a right to expect. On Friday, the day previous to my first interview with Mr. O'Connor, I was importuned by Mr. Blatchford, Mr. Bowen, Mr. Benson, and Mr. Charles A. Stetson, to employ him as my counsel. The latter gentleman insisted on his right to see that I was furnished with able counsel, as he was my bail, &c. He informed me that Mr. O'Connor had been waiting in his office two hours for me, and in answer to my question, "how do you know that?" after a good deal of prevarication, and not until I assured him that I would not move one step in the matter unless I had some assurances that he, Mr. O'Connor, had been seen, and that his fee would be paid, he told me that Mr. Blatchford and Bowen had said that everything was right, and that it was now only necessary for me to see Mr. O'Connor. In the course of half an hour, or perhaps less, I saw Mr. Benson. His first inquiry was, "Have you seen or employed Mr. O'Connor yet?" I replied that I had not, nor would I do it, unless I was furnished with money to pay him his fee. He urged me to go down at once, and see him ; that he would attend to it, and that it would all be right. I resisted, and he left me for a moment, and went into Mr. Bowen's parlor ; they came out, conversed a few minutes together, and Mr. Benson came towards me, and said, "I'll borrow it from Mr. Stetson." I said, I'll get it myself, provided you will return it. To this he assented, and in the course of a few

days, as Mr. Stetson informed me, he repaid the same. In a conversation with Mr. Bowen this day, he said that I was perfectly right in the course I had adopted; namely, not to move unless my counsel was paid, &c. &c. &c.

I have repeatedly called upon Mr. Benson to make good his engagements with me, and as often been assured that he would do so. On the receipt of Mr. O'Connor's note, (informing me that he had "argued the case in part, and that it was postponed until the following Saturday, and that unless he saw me before that time, you must not expect me to attend any further to the case,") I immediately enclosed the same to Mr. Benson, asking his attention to it. I received no reply, although Mr. Stetson informed me, that he told him that he would go down and get the money. I waited in a good deal of suspense until Saturday morning, the day to which it was postponed, and having no advise, I then wrote to Mr. Blatchford who had, with Mr. Bowen, repeatedly assured me that Mr. Benson would adhere to all his engagements. He did not think proper to reply to my note, and on the following Monday, (this day week,) I mentioned the circumstances to Mr. Stetson, who is one of the confidential friends and agent of these parties. Mr. Stetson said that he would see Mr. Benson, and get this \$200, and the other monies I required. He went out for that purpose, and subsequently informed me that all was right, and that Mr. Benson would hand him a check.

On Wednesday last I again inquired of Mr. Stetson whether Mr. Benson had called, or if he had seen him, and showed him a note then received from Mr. O'Connor. He at once said that Mr. Benson was behaving very unhandsomely towards me; and that he would go down himself and see Mr. O'Connor, and hand him the \$200. "I suppose," said he, "he will take my check, for I have no money to-day." I replied that he would, certainly. He left the house for this purpose, in company with Mr. George Curtis, the brother of the present Collector.—Mr. Stetson informed me, on his return, that Mr. O'Connor would not receive the fee nor attend to the case; that he had no sympathy for me; that it was a matter of pecuniary consideration alone, and that I had not met my engagements. In a word, that he would have nothing to do with the further arguing of the case.—This is all that I consider necessary to communicate to you at this time. You will observe that I have had no volition about the matter, and that Mr. O'Connor has been only nominally my counsel.

In haste, your most obd't servt,

J. B. GLENTWORTH.

Col. A. HAMILTON.

It was a part of the arrangement made by Mr. Benson, on his own account, or as the go-between or agent of others, with me, that counsel should be furnished to dispose of the indictments, or in the contingency of my being tried, of which result the most remote idea was hardly entertained, that I should not be subjected to any expense for counsel or otherwise. It will be remarked that the argument on the demurrers to the indictments was only in part heard, and that this was occasioned in consequence of Mr. O'Connor's refusing to do so, unless he was paid the balance of his fee. This was no fault of mine. I had relied on the honor and good faith of Mr. Benson. I had seen Mr. Benson and others on the subject, time and again. I had written note after note, and without any result. I had repeatedly been advised and importuned by Mr. Benson, Mr. Stetson, and others, to make my arrangements to leave the city. The idea was to have my bail reduced, or if that could not be done, to indemnify, or to make some arrangement after I had left, that would be satisfactory. Several unsuccessful attempts were made to

reduce the amount of my bail. Perhaps they imagined that their persecutions would drive me to this extremity. And then, forsooth, they meant to raise "a hue and cry" that I had dishonorably deserted my bail—that I had "ingloriously fled." They ought to have known me better. It is true that I was "perplexed in the extreme"—that I was driven almost to the verge of madness. My motives and actions were not understood; or, if so, they were not appreciated by those for whom I had made these sacrifices. I was compelled to submission; for any act of mine, to show their participation, would have insured my conviction, and the full penalty of the law. Can this be questioned? Inquire into the organization of that court, and your doubts are removed. The parties implicated with participation in these frauds imagined, foolishly imagined, that I was powerless, and that they had shifted the public odium from themselves to me. They have failed in that profound diplomatic penetration which they flatter themselves they possess. It was an evil moment of bewildering security in their own self-importance and imaginary power, when they thought they could crush me with impunity, as a worm under their foot; and even embolden their minions and subordinate agents to offer me gross contumely.

About this time, all intercourse had ceased between Mr. Benson and myself.

On the 4th of May, 1841, at about five o'clock in the afternoon, I had a conversation with Mr. Charles A. Stetson. He informed me that he had seen several of my friends, and that they were desirous that I should leave the city. Mr. Stetson was one of my bail. He said that there was no difficulty in my leaving, as the indictments could be disposed of in my absence. On the 6th instant, I received a note from the District Attorney, informing me that the court had given judgment for the defendant on the indictments under the statute, and on the indictment at common law, they had given judgment for the people. I was required to plead to the indictment on the following day, at eleven o'clock. At that hour I appeared with my counsel, Messrs. Joice and Smith. At this time Mr. Smith had not consented to be my counsel in the cause; he went up with Mr. Joice at Mr. J.'s request to plead to the indictment. After I intimated my wish to retain Mr. Smith, my whig friends objected because he was opposed to me in politics! I was surprised by one of my bail, Mr. Nathaniel Pearce. Mr. Joice went over to the Astor House, to see Mr. Coleman, and to ask him to become my bail. Mr. Joice returned, and said that Mr. Coleman would come over presently. I became impatient and went over to the Astor House in custody of an officer, and with my counsel. Mr. Coleman had gone down town. I sent the following note to Mr. Edward Curtis:

NEW YORK, May 7th, 1841.

Sir—I received a note last evening from the District Attorney, informing me that "the court gave judgment for the defendant under the statute, and on the indictment at common law the court gave judgment for the people," and requiring me to plead at eleven o'clock this morning. A few minutes previous to that hour I went into court, and was surrendered into custody by Mr. Pearce, one of my bondsmen. Mr. Stetson, the other bondsman, being absent from the city, of course my recognizance must be renewed before the adjournment of the court, and unless my friends come forward and provide bail, I must be committed to the city prison, as I am now in charge of an officer.

Your most obd't serv't,

J. B. GLENTWORTH.

EDWARD CURTIS, Custom House.

This note was delivered by Mr. Joice. Mr. Curtis said that he was very much occupied, and could not go out and attend to it. As Mr. Joice was leaving, Mr. Curtis told him that he would attend to it presently, or so soon as he could find leisure, or to this effect.

In the course of an hour, Mr. Robert B. Coleman became my bail, in the sum of five thousand dollars, and my individual recognizance was taken for a similar amount.

My trial on the indictment at common law, was set down for the 19th instant. On the 10th instant, I sent a note to Mr. Blatchford, of which the following is a copy :

NEW YORK, May 10th, 1841.

Sir—You are aware that the indictment against me at common law, is set down for trial on Wednesday of next week. My ability to provide counsel, and to bring here such witnesses as I may require, depends entirely on the fulfilment of the engagements made by Mr. Benson. And I now appeal to your sense of honor and justice, to urge upon him to meet those engagements. But for Mr. Benson's neglect in handing Mr. O'Connor the balance of his fee, the indictment upon which I am to be tried would have been disposed of with the others. This was imperfectly argued. Mr. O'Connor was employed at the instance of Mr. Benson, with assurances that he should be paid. May I ask the favor of your early attention to this matter, and oblige,

Your most obed't serv't,

J. B. GLENTWORTH.

R. M. BLATCHFORD, Esq.

On Saturday, the 15th instant, I was informed by Mr. Coleman, or Mr. Stetson, I think the latter, that Mr. Benson had left two hundred dollars; and as I understood it, to pay Mr. O'Connor the balance of his fee, to induce him to embark again, and manage the case for me.

The following letter was addressed to Mr. Bowen, and handed to him. It enclosed one, dated the 1st instant, addressed to the same parties, and was withheld for the reasons assigned in this communication :

NEW YORK, May 17th, 1841.

Gentlemen—The accompanying letter, dated on the 1st instant, was withheld from the consideration that Mr. Benson not only gave assurances to Mr. Stetson, but to Mr. Coleman, that he would meet the engagements referred to. On Saturday last, after repeated promises from day to day, during the week, he left, as I understood, two hundred dollars to pay Mr. O'Connor the balance of his fee, and remarked to Mr. Stetson, that he had no more, or that he did not consider himself bound to me for anything more.

In this position, it is necessary for me to know, whether I am to be thrown upon my own very inefficient resources, or if I am to be sustained by those who are bound by every consideration of honor and manhood, their interests, and reputations, to adhere to me.

Your most obed't serv't,

J. B. GLENTWORTH.

Messrs. BOWEN, BLATCHFORD, DRAPER and WETMORE.

The following is a copy of the letter enclosed at this time :

NEW YORK, May 1st, 1841.

MESSRS. BOWEN, BLATCHFORD, DRAPER and WETMORE :

Gentlemen—It is with extreme reluctance that I address you, to appeal to your sense of honor and justice, to urge upon Mr. Benson the fulfilment of the engagements made with me. I have received repeated assurances from at least two of your number, that they would be performed. About ten days since, Mr. Charles A. Stetson called upon Mr. Benson, who promised to attend to his requests. Mr. Benson urged, among other matters, that I ought to curtail my expenses. That the public talked a good deal about my living at the Astor House; and, in consequence of this suggestion, two days subsequently, I sent my family in the country, reducing my expenses more than one-half. This being done, on Wednesday last Mr. Benson desired that I would address a note to him, stating what I required. I immediately complied with his request; but not receiving an answer, and understanding that he intended to leave yesterday afternoon for Albany, I wrote a second note; and still receiving no answer, I called at his house, and received from him a refusal to do anything. Under these embarrassing circumstances, I have thought it proper to inform you of the state of the negotiation, that you may have an opportunity to see that it is performed. The amount in question is inconsiderable in itself, but of infinite importance to me.

I would here advert to the delay that has been occasioned by the neglect in paying Mr. O'Connor, my counsel, the balance of his fee, after having been advised, and urged, to employ him, and repeated assurances that it should be done. But for this, the indictments against me would have been disposed of a week since; and from the present position, I have reason to apprehend, that it will be necessary for me to employ other counsel, and I have thought of consulting either Mr. Morrill, or Mr. Shaler.

I hope you will now see the necessity of an immediate reply to this communication, that I may understand what I am to depend on.

Your most obed't serv't,

J. B. GLENTWORTH.

On the morning of the 13th instant, I had some conversation with Mr. Coleman on the subject of employing counsel. He appeared desirous that Mr. O'Connor or Mr. David Graham, Jr., should be employed to conduct the trial. We started together to call on Mr. Graham. In going through Beekman street, near the Clinton Hotel, I pointed out Mr. O'Connor, who was going down Nassau street. Mr. Coleman ran after, and had a few moments conversation with Mr. O'Connor. On his joining me, he said that Mr. O'Connor had promised to send him word whether he could attend to it; that he was engaged the next day with a trial, and that he could not possibly attend to mine unless the District Attorney would consent to postpone it. On our way through the Park to the office of the District Attorney, to ascertain whether this arrangement could be made, we met Mr. David Graham, Jr., near the Post Office. Mr. Coleman stopped and spoke to him—I walked on. Mr. Coleman informed me that Mr. Graham would send him word, during the morning, if he could attend to it for me, and that he had agreed to give Mr. Graham \$150, if it only occupied two days; but he was to receive \$250, if he was engaged longer. Mr. Graham has subsequently informed me that these were the terms, and that he received the \$150. He had not received the balance of his fee when I last conversed with him. Mr. O'Connor did not consent to take any part in my trial, and I associated Mr. James M. Smith, Jr. with Mr. Graham.

My trial came on, and occupied four days; the particulars are familiar to the public. The jury were divided, seven for acquittal and five for conviction. I suffered much annoyance about this time, in consequence of being surrendered by my bail. In this emergency, and after unsuccessfully sending to several of the parties implicated in these frauds, which was disregarded by all excepting one person, who came up about dusk to the Court of Sessions for this purpose. Mr. Del Vecchio, a gentleman comparatively a stranger to me, had previously come forward and generously became my bail in the sum of five thousand dollars. Such instances of philanthropy, of high and generous disinterested consideration, in a political opponent, are rare. He has, and ever will have, my gratitude.

On Thursday, the 10th day of June, an application was made by my counsel, J. M. Smith, Jr. Esq., to reduce my bail to five hundred dollars. The court wished time to consider the motion, and informed my counsel that they would give their decision on the following day. When this application was made, I observed Mr. Benson and Mr. Justice Merritt in the court room. It will be remarked, that at this time Mr. Benson was not even on speaking terms with me. On my way from the court room with my counsel, Mr. Benson came up and spoke to me in a very familiar manner. He said, that so soon as the bail was reduced, he wished to see me. I asked him to call at my lodgings in Warren street, immediately opposite to his house. He said, "no; that won't do." I then remarked, that I would call on him at his house. He again dissented, and said that it would not do for us to be seen together. He said that he was obliged to attend a meeting of one of the committees the next evening at the City Hall, and that he would see me after the meeting, at nine o'clock, in front of the Hall. I did not meet this appointment in consequence of a severe storm. The next morning I saw Mr. Benson several times before breakfast, on the steps of his front door. From his manner in looking over, and coming to the door so frequently, I was satisfied that he was desirous to see me. At about half past eight o'clock, Mr. Benson came out of his house, stood and looked towards my window; walked along, and waited on the corner of the street, (West Broadway and Warren street,) until I came out, and joined him. I walked with and left him on the corner of Greenwich and Vesey streets. We had considerable conversation. He informed me, that every body was interfering with him and his business. That committees of the whig party had insisted on the removal of his deputy; and that they wanted to know what connection he had with me. He said that he was sorry that he had ever embarked in the business, and wished that he could wash his hands of it. He informed me that he "could not do much;" he might raise a few hundred dollars next week. He appeared desirous that I should leave the city; and remarked, that if I was disposed to do so, that he could make an arrangement with me to furnish what I might require. Mr. Benson made some suggestions as to the disposition of my family, &c. &c. I left Mr. Benson with an agreement to meet him in ten minutes in the Park, opposite the Astor House. He promised to hand me some money, and proposed borrowing it of Mr. Coleman, or Mr. Stetson, until Monday.

During this interview, in answer to Mr. Benson's inquiries if my bail was reduced—who had become my bail—I informed him, under a pledge of honor, that the gentleman was an entire stranger to me, and that Mr. Merritt had procured the bail, &c. &c. He appeared a good deal amused at the idea of my not even knowing the name of the person who had become bail for me—I had forgotten the name. Mr. Benson did not meet his appointment. I went down to

Wall street, thinking that I might meet him. On my way, in Broadway, near Pine street, I met Mr. Merritt. He appeared very angry that I had been so indiscreet as to tell Mr. Benson that I did not know my bail, and that he had furnished it for me. He had heard it in Mr. Blatchford's office. He cautioned me to be more circumspect, and we parted. I saw Mr. Benson twice during the morning. At the first of these interviews, I mentioned the circumstance of his violating his pledge of honor with me, and communicating the same to Mr. Blatchford and others within a half hour after that pledge was given. He flew into a most violent passion. He said that it was a damned lie, or that I was a damned liar. I told him that it was cowardly to insult a man who was prostrate; that my first impulse was to strike him, but that his age and my situation, and fear to involve myself in more trouble, saved him. At the second interview, he handed me, in the door of the private entrance of the President House, the funds I required. I was in conversation with three gentlemen when he came up and said that he wished to see me. It is not my purpose to assail private character. Mr. Benson has, for many years past, enjoyed the confidence and respect of a large portion of this community, and it is with sincere regret that I am compelled to record facts which place him in a light that no honorable man would covet to appear in. Mr. Benson knew me, or at least ought to have known me, and should never have suffered himself to become the pliant tool of a persecution, as unrelenting, vindictive and cruel, as it was dishonorable and unjust. Mr. Benson had known me under more prosperous circumstances; there was no necessity to superadd insult to persecution and injury. He was now in the full enjoyment, through my suggestion, of the very office of which I was deprived. I was not the humble suppliant of the bounty of Mr. Benson, or any of these parties. I asked no gratuity at their hands. I only claimed my rights, under as binding a contract as was ever made between honorable men. Neither the original contract with Mr. Benson, nor the subsequent one through General Doughty, have been strictly adhered to.

On Friday, the 11th day of June, my bail was reduced to one thousand dollars.

On the 14th instant, I addressed the following letter to Mr. Bowen :

NEW YORK, June 14th, 1841.

Sir—I have, on reflection, concluded to address you once more, and this, let me assure you, shall be the last letter you receive from me in relation to the unfortunate transactions, for which I have been compelled to be the only sufferer. You know that I have it in my power to make expositions, supported by proof, that will implicate you and others, and satisfy the public mind, that if I acted wrong, others were more to be condemned than myself. You know, also, that for months, notwithstanding strong inducements were offered me to surrender the papers which I hold, establishing the connection of yourself and others with me, in all that was done, that I refused to let them pass from my possession, and have passively endured all the odium myself, rather than let it fall on those who ought to have relieved me of, at least, a portion. In this determination, I have been influenced alone by considerations of honor towards you; whether you and others are actuated by the same impulses, the sequel will show. The time has now arrived when something must be done, or I will give publication to the facts, connecting you and others with the alleged frauds of 1833, '39. I will not suffer as I have suffered, and tamely submit. I will not allow Mr. Benson, or any other person, to make solemn engagements with me, and break them at their pleasure. No, thank God, it is not as you suppose, simply my word alone, on

which the charges against you rest, though I understand you think so, and say I have no proof, but you are mistaken. I have PROOF, and STRONG PROOF; proof that you cannot contradict; proof that will establish to the public, what you know already—your participation. I have, as Mr. Curtis does not suppose, proof of his conversation with me, at my room, in relation to my papers; his offer of \$2000 for them, is a circumstance against him, which it will be difficult to explain; ORDINARY MANUSCRIPTS are not so valuable. I have an affidavit, independent of my declaration, to prove the fact. I have not been idle; I have fortified myself with evidence, which, when the crisis arrives, can be used. I now repeat, and for the last time, that unless the engagements made with me by Mr. Benson, are fully carried into effect, and that too, without any FURTHER, or OTHER, equivocation, that I will publish a full and true statement of the facts within my knowledge, which I will fortify with my own and other affidavits, letters and memoranda in my possession. I want justice done to me, in proportion to the persecutions and misery I have endured:—in that proportion will the public sympathy be meted out, when the current changes. I repeat, I want nothing but what I am honestly entitled to; and if I cannot have it, I will see that those who are equally guilty with myself, shall not TRIUMPH in my downfall. If justice is done, and truth prevails, you know, without my suggestion, what you must suffer. I feel no disposition to injure you; neither will I do it, if I am dealt by as I should be, by you. I have now resolved on the course I shall pursue; I have matured it in my own mind, and be the effect what it may, so far as I am concerned, I shall have this satisfaction, that those who ought to have befriended me, and who DESERTED me, because of my being less POWERFULL than themselves, will be presented to the public in their true light. About a week since, I apprised you of my determination to enforce the arrangements made through Mr. Benson, and for the fulfilment of which, I had received your repeated assurances. All the letters I have addressed to you, and the memorandums of our different conversations in relation to the transactions alluded to, and the affidavits in my possession, shall be given to the public, unless immediate steps are taken to carry out, in good faith, the assurances made to me. What you determine upon, must be done to day, as I shall leave for Washington to-morrow, or the next day. I say unqualifiedly, that I do not ask one dollar more than I am entitled to by the terms of the agreement; neither will I accept anything beyond that amount. Justice to myself and family, require of me to DEMAND my rights, and if they cannot be obtained, you shall feel that I am not as powerless as you have pretended to imagine. It is an old maxim, “that truth is mighty, and will prevail.” We will see if it cannot be verified in this instance.

Your most obd't serv't,

JAS. B. GLENTWORTH.

P. S. This letter, though addressed to you, is intended for Messrs. Blatchford, ———, Draper, Lawrence, Cook, Nathan, Havens, Swartwout, and Mr. Curtis. You may refer the latter gentleman, independently of the matter before referred to, to his correspondence with some of the members of the grand jury, and his pledge to Colonel Hamilton, as I am determined that the whole matter shall come before the public.

On this day, I received a note from General Doughty on business of his own; and on the following morning I saw him, and in the course of conversation, informed him of the dishonorable treatment I had met with from Mr. Benson. I asked him to see Mr. Bowen, with whom he was intimate, and to have Mr. Benson

urged to fulfil his engagements with me. He promised to do so. On the 16th instant, General Doughty called at my lodgings, No. 59 Warren street. He informed me that Mr. Bowen desired that I would withdraw the letter addressed to him on the 14th instant. He remarked that it would not do for Mr. Bowen to move, until this was done, as it would appear as if he acted upon compulsion, or to this effect—that as soon as the letter was withdrawn, Mr. Benson would be seen, and the arrangements made by him with me, carried out in good faith. I think that General Doughty informed me that Mr. Benson was then absent at Albany, but would be in the city in a few days.

On the 16th instant, I sent the following note to Mr. James Bowen, and the request contained therein, was immediately complied with:

NEW YORK, June 16th, 1841.

Sir—Will you be pleased to return the communication addressed to you the day before yesterday? directed to me, at No. 59 Warren street.

Your most obd't serv't,

J. B. GLENTWORTH.

JAMES BOWEN, Esq.

I wrote a note to General Doughty, of which the following is a copy:

NEW YORK, June 21st, 1841.

Dear Sir—In compliance with your suggestion, I immediately addressed a note to Mr. Bowen, withdrawing the communication referred to, which he promptly complied with. May I further ask your kind offices in this matter? I am very desirous to leave the city for a few weeks, and am prevented until this business is arranged one way or the other. Will you do me the favor to see Mr. Bowen, at your earliest convenience, during the morning, and ascertain whether Mr. Benson has been seen, and with what result? I would not trouble you, but for the reason that exception may be taken if I communicate, or ask any one else to call upon them, having been charged with a want of circumspection on other occasions. You will readily see the propriety of my making this request.

In haste, truly yours, &c.

J. B. GLENTWORTH.

General GEORGE S. DOUGHTY.

In the course of a few days, I again saw General Doughty at my lodgings.—Nothing definitely had been agreed upon. He inquired the terms of the arrangement between Mr. Benson and myself. Wanted to know how much I had already received, and what was the lowest amount I would accede to. I insisted upon the whole amount, after deducting some payments I had received on individual account from Mr. Benson. He said that Mr. Benson DENIED ANY ARRANGEMENT WITH ME. That the parties implicated by me in these frauds, rather sought and defied investigation; that they had no fear of me; that they defied me; and almost in the same breath, he asked me if I would consent to destroy the papers in my possession: that is to say, whether I would throw away the evidence in my possession of their participation in these frauds. MARK THE INCONSISTENCY! At one moment defying me to the proof, and at the next, asking the destruction of the evidence of their guilt. I was very angry, and expressed myself in no very measured terms. General Doughty advised me to arrange the matter with Mr. Benson, on the best terms that I could. He thought that I could not get the whole amount Mr. Benson had agreed to pay me; but that I could possibly get TWO THOUSAND DOLLARS, and advised my taking it. I considered him my friend and adviser, and yielded to his judgment. He represented that Mr.

Benson was embarrassed; that he was poor; and he left, promising to attend to this matter, and to see me in the course of a few days. I waited until the 29th instant, and not hearing from him, I addressed a second note to him, of which the following is a copy :

MONDAY, June 23, 1841.

Dear Sir—I have been anxiously waiting to hear from you, as I understood you to say that you would give the matter your immediate attention. I regret to importune you, but I am desirous to know definitely whether the engagements made in good faith with me by Mr. Benson, and the repeated assurances subsequently given by Messrs. Bowen, Blatchford and Draper, that they would be adhered to, are to be violated with impunity. I desire nothing but justice, and would not accept one dollar beyond what that engagement calls for, much as I want it. There is a manifest inconsistency in the assertion of Mr. Benson, that there was no arrangement with me. How can you reconcile the fact that he has, for six months past, frequently advanced money for specific purposes, if this was the case. However, this is of no moment. Will you do me the favor to see Mr. Benson, and communicate with me at your earliest convenience; if possible, during the day.

Yours, very truly, &c. &c.

J. B. GLENTWORTH.

Gen. GEORGE S. DOUGHTY.

On the first of July, General Doughty and myself had another interview, during which he repeatedly informed me that Mr. Benson denied his arrangement with me; and that the other parties were under no apprehension of me. That Mr. Blatchford and Mr. Bowen considered that Mr. Benson was bound to carry out his agreement with me, and that they would do all in their power to enforce it. But that another, (whom I supposed and charged was Mr. Draper, and which was not denied,) defied me, and said he would "IMPALE ME ALIVE" if I dared to agitate this matter, or implicate him; or to this effect. I adverted to the inconsistency of Mr. Benson in denying his arrangement with me, and instanced his having, on the strength of this arrangement, repeatedly made advances to me. On leaving, General Doughty said he thought he would be enabled to hand me the check for the amount agreed upon the next day. He called on the next day, and informed me that he could not make the arrangement to give me all cash. He wanted me to take three hundred dollars, and then six hundred dollars in cash, and the balance in notes, or payments monthly until the whole was paid. This I declined. I now, for the first time, discovered, from the drift of General Doughty's conversation, that he was empowered to make the best terms he could for the other party or parties. He had embarked in this business at my instance, and as my friend. I considered that he had lost sight of my interests. I told him that I would not take less than one thousand dollars cash, and the balance in two payments, or drafts with his acceptances. His object, in my judgment, was to defer the payment of as much of this amount, until after November, so as to secure, if possible, my silence; and the reason is obvious: the statute of limitations, so far as the participation of Messrs. Blatchford, Bowen and Draper were concerned, protected them from indictment. General Doughty left me, agreeing to see me at the same hour next day, and in the meantime to make, as he said, "Benson fork up a check for the amount."—General Doughty did not call, according to appointment, and I ascertained during the day that he had left the city. On his return, he sent me a note, as follows: "that so soon as the thing is done I will advise you." This note was not signed; it was in reply to a communication from me.

The reader will readily perceive, that the object I have in view, in adverting to this correspondence, is to show the intimate relation of the parties implicated in these frauds. However unwilling I may be to task the patience of any one, still I cannot, in justice to myself, and in accordance with my pledge to the public, keep back any fact, or incident, tending in any way to a clear exposition and understanding of these frauds. There are, however, some circumstances entirely of a personal character, growing out of this correspondence, which for the present is withheld, and may never possibly transpire. If they do, it will be occasioned by the acts of others.

On the 15th of July, I addressed a note to Mr. Benson, of which the following is a copy:

NEW YORK, July 15th 1841.

Sir—The continued absence of General Doughty from the city, prevents my communicating with you through him. I am desirous to ascertain whether the proposition made and acceded to, on the first instant, will be adhered to, or otherwise? It is bad policy to agitate the public mind on this subject, and can answer no good purpose. I am ready and willing to do every thing that was right. Why is it that this arrangement is not carried into effect in good faith? If you will see me during the morning, I think we can arrange matters satisfactorily. If so, will you send me word by bearer, at what time and place.

Your most obd't serv't,

J. B. GLENTWORTH.

EGBERT BENSON, Esq.

After this letter was dispatched, I went down to Mr. Smith's office, No. 3 Wall street, at which place I had agreed to meet the bearer of the note, to receive Mr. Benson's reply. In turning from Nassau street into Wall street, I saw Mr. Benson on the steps of No. 3 Wall street. He crossed over and met me in front of the Presbyterian Church, and informed me that he was only waiting General Doughty's return to the city to close the arrangement. He advised me to keep quiet, and not to quarrel with my best friends. He asked me when I was going away, and said that the bail now was of no consequence, and that it could be attended to, or to this effect. It will not do, however, said he, laughing, to advise you to leave your bail, for I am one of the judges of the court. He inquired if I had not received a note through the Post Office. I replied that I had not; that I had not been to the office for several days past. After leaving Mr. Benson I went to the Post Office, and received an ANONYMOUS letter, which I recognised to be in the handwriting of Mr. Benson, of which the following is a copy of the original now in my possession. The post mark on this letter is July 13th, and addressed to Mr. J. B. Glentworth, Warren street, New York.

"General D. is out of town; will return in a day or so. When he does, any arrangement he may have made, will be immediately carried out."

TUESDAY."

I saw Mr. Benson on Saturday, the 17th instant. He handed me some funds, and promised to see General Doughty immediately on his return to the city, and close the arrangement with me on the following Monday or Tuesday. I sent not only to Gen. Doughty, but to Mr. Benson, several notes, urging a consummation of the arrangement. I received, most generally, verbal replies and promises.—The former sent me word about this time, "that he would have nothing more to do with it;" and gave me the same information, personally, at his store afterwards, I think on the same day.

On Wednesday morning, July 21st, 1841, General Doughty sent me the following note :

"I go out of town, to return on Thursday morning, when matters will be arranged."

WEDNESDAY.

It is unnecessary to say that he did not meet this engagement. After the receipt of the anonymous letter from Mr. Benson, I was desirous to obtain his writing, to compare with the anonymous one I had received. To this end, I sent a note to Mr. Benson on the 23d instant. It was as follows :

FRIDAY, July 23d, 1841.

Sir—General Doughty informed me on Wednesday, that the arrangement should be closed yesterday. Will you please inform me by bearer, whether you are prepared to close it to-morrow.

Your most obd't serv't,

J. B. GLENTWORTH.

E. BENSON, Esq.

I received by the bearer, written on a strip from my note :

"General D. will see you to day ; he told me at eleven o'clock."

This reply is in the same hand writing as the anonymous letter, received by me through the Post Office. I have no comment to make at this time, on the conduct of these parties. I will content myself with the simple inquiries : why did Mr. Benson address an anonymous communication to me on a matter of business ? If that business was of an ordinary or every day character, why not call and see me, or send some one for that purpose ?

On the 24th, I again sent a short note to Mr. Benson, of which the following is a copy :

JULY 24th, 1841.

Sir—General Doughty informed me yesterday that he would see me at ten o'clock this morning, and it is now nearly two o'clock. There appears to be an evident disposition to trifle with me in reference to the consummation of this matter.

I am compelled to say, that unless it is arranged to-day you will force me to take some measures that will be a source of regret to all concerned.

Your most obd't serv't,

J. B. GLENTWORTH.

EGBERT BENSON, Esq.

A short time after this letter was sent, General Doughty made his appearance. He inquired whether all the papers were in my possession. I informed him that they were. He then said that he would expect me to place them in his custody, so soon as the first payment was made. He spoke a good deal of his diplomacy in effecting this arrangement ; that he had the securities for the first and second payments in his possession, and that he would secure the others before he saw me on Wednesday, on which day he appointed to meet me at the President House, at ten o'clock, to make the first payment.

I had determined, when the perfidy of these parties was too apparent to be mistaken, to entrap them in the very snare they had laid for me. It will be seen from the first, that their great anxiety was to possess themselves of my papers ; this was their great aim. They well knew that those documents contained evidence, not only tending to implicate them in these frauds, but to affix, and rivet by ad-

mantine bolts, their guilty participation upon them. I had however resisted, up to this time, all their overtures to possess themselves of these papers. Mr. Edward Curtis, the self-styled "HERCULES OF THE PARTY," could not, with all his power of eloquence and persuasion, get them from my possession. And it was the destiny of the "Great Ajax" of the same party, in turn, to be foiled. I knew that my arrangement with Mr. Benson would not be consummated unless I yielded this point, and I now seemingly acquiesced in their views. I prepared a parcel of papers, copies from letters and memoranda, &c. &c., to be used when the crisis arrived. After this was done, the original papers passed from my possession, where or to whom I had no knowledge. I knew that they were safe, and that they would be forthcoming whenever I might require them. Some of them have only been returned to me within ten days past. The *denouement* was approaching—the time arrived! I met General Doughty, according to appointment, on the 28th July, at the President House. He asked for the papers; I handed him the package sealed, and they were received as the originals. Of his visit to Washington, its object, or whether these papers were there exhibited, and of other particulars connected with this *profound diplomacy*, is not known by me—it is matter for conjecture. The question arises, and is as easily answered. Was I justified in resorting to this stratagem? Have the parties acted honorably towards me? Have not every means been resorted to, to injure and degrade me? Have not the parties implicated, "moved Heaven and earth," to obstruct the legal investigations, and to give the charges a false issue? Have they not sought to hood-wink the judicial tribunals, jury, and public? Like the ostrich, whose head is concealed in a bush, they seemed to forget the awkward and deformed mass of their own irreconcilable statements, and that their conduct stood exposed to the broad glare of public inspection. Of the petty annoyances and mortifications that I was subjected to, and obliged tamely to endure, caused by the *profound diplomacy* of one who embarked in this business at my solicitation, as my friend, I will not here relate. I leave him to his own reflections.

"Who could bend the pregnant hinges of the knee,
Where thrift would follow fawning."

The evidence to prove their participation in these frauds, they now imagined was within their control. I was harmless, for they thought no one would credit my unsustained declarations. Still I was not enabled, before the statute of limitations released some of these parties, to obtain what I had been for several terms not only entitled to, by long practice and usage, and even by the promises of the court, a discharge of the indictment.

Up to the very last moment, we find the minions of these parties surrounding the court; and even the very parties themselves, making an effort with that court to discharge the bail, but to hold the indictments *in terrorem*, over my devoted head. Previous to this time, the parties to these frauds felt secure; they had trusted to my sense of honor to shield them. This security was now at an end. They knew that I understood their baseness, and they were not willing, without an effort, to give up the means to coerce my silence.

The decision and firmness of my counsel, however, prevailed, and effected what in justice ought to have been granted to me several terms before, namely, a *nolle prosequi* to the indictment.

This was entered on the 22nd day of November, 1841.

I was now a free man; the shackles that bound me were cast off. I breathed the fresh air of heaven as I was wont, once again, with inexpressible delight. My

personal liberty was no longer at stake. And I felt relieved that the obligations that had bound me to these parties was now severed, and by their own perfidy towards me.

It was my intention when I commenced these statements to have submitted an analysis and comments on the several affidavits of the parties implicated in these transactions, taken before the Recorder, in October, 1840. I have, however, taken up so much time in other matters, that I must content myself with a few cursory remarks. Mr. Robert Swartwout, in his examination on the occasion referred to swears that he met me in October, 1838, in the *cars* for Philadelphia, *and by accident*. He had forgotten that we started, and by appointment, in the *steamboat*, and that I acted as purser on the occasion, and paid his passage. On our arrival at Philadelphia, he swears that he introduced me to Colonel Swift. He was not aware that I had known Colonel Swift from my boyhood. At the interview at Colonel Swift's, I am substituted for himself, as the person who communicated the object of our visit. A very natural and precautionary mistake. In a word, Mr. Robert Swartwout *makes a clean conscience* of it. He swears right through. It is unnecessary to say that Mr. Swartwout was appointed by the Collector of the Port, and is now a measurer under the General Government.

The principal feature in Mr. R. M. Blatchford's affidavit is the production of a copy of a letter, which he swears was written by Mr. Draper, and sent to me by William A. Ford, at Philadelphia. He thinks that this letter was written by Mr. Draper "alone, although it may have been signed by Mr. Draper, Mr. Bowen, I think, Mr. Grinnell and myself." "If it was not signed by us, it was written, certainly, by the three." "But upon reflection, I am not certain whether Mr. Grinnell had anything to do with it." &c. &c.

The following is a copy of the letter incorporated in Mr. Blatchford and Mr. Grinnell's affidavits, and referred to by Mr. Draper:

"New York, October 31st, 1838.

"Dear Sir—Two of your letters written yesterday, have found their way to this city; the project which you laid out is not wholly understood by your friends here. The position which they consider themselves placed in, is easily summed up, and their only fear is, that you may have misunderstood their motives and desires. If you have made any arrangements which in any way tend to any thing beyond a general supervision of the polls, for the purpose of detecting and preventing illegal voting, you must at once unequivocally abandon it, and look to them for any expense which your precipitate steps may have occasioned. We value the ~~case~~ as highly as any portion of our fellow citizens value it, but we are determined not to enter into any sort of arrangement which, under any circumstances, could be construed into a bargain for foreign votes. We therefore take the earliest and most effective mode of saying to you that, while we are ready to submit to the expense which you may have incurred in your preliminary arrangement, we will not countenance any system which can in any way encourage the importation of voters.

"We know your desires, and shall be willing to meet your wishes, provided they are based upon the simple point of protecting the rights of the honest voters, which we deem your only hope or expectation."

Mr. Blatchford, in his examination before the Recorder, on the 22nd day of October, 1840, in giving the date of this letter, remarked, "*I have made a mistake.*" And I now call upon the public to mark this, what I conceive to be, fatal mistake; for there is more in it than meets the eye. It will be recollected that I have before

stated the fact of my unqualified denial of the receipt of this letter when it was *first read to me by Mr. Draper, on the morning of the 21st day of October, 1840, in his parlor, in the presence of Mr. Blatchford. Did Mr. Blatchford date this letter on the 21st or 31st of October, 1840? How easily might one sound be mistaken for the other? Was not that identical letter prepared to meet a contingency on that morning, and by these parties? Was not this a cunningly devised invention to relieve themselves, and to throw the whole odium upon me? I do not hesitate to say that if they had followed out this base plot, that I would at once have availed myself of the offers of the District Attorney and of the Court, and become the accuser, instead of the accused. Mark, also, the contradiction and discrepancy as to the enditing of this letter. Mr. Blatchford swears, at one moment, that it is written by Mr. Draper alone; at the next moment, the three certainly participate in the concoction of this precious relic. Mr. Grinnell is made a party, and, at the next turn, he is entirely absolved from all participation and knowledge, except approving of it. Mr. Blatchford swears that this letter was written at Mr. Grinnell's house, and by Mr. Draper. Now is it probable that Mr. Draper, who is a business off-hand man, or that either of the others would sit down on the spur of the moment, and write such a letter. But, aside from this reasoning, I now produce the original letter, and all I ask is that it may be contrasted with "the counterfeit presentment."*

"Look upon this picture, and on this."

THURSDAY AFTERNOON.

Dear G.—We were a good deal alarmed this morning, to find that your visit to Philadelphia was suspected here and talked of in the streets. For your own sake as well as ours, you must stop short where you are. The enclosed will enable you to meet your engagements as far as you have gone. You had better return and show yourself here as soon as you possibly can.

Yours, truly,

W. SCOTT.

The bearer knows nothing.

This letter was handed to me by William A. Ford, at the United States Hotel, Philadelphia, on Thursday, the 1st day of November, 1838, at about twelve o'clock at night. I have a transcript from the register of the United States Hotel, and the name of William A. Ford, New York, is entered on that day. Can any unprejudiced mind take up this letter, and contrast its phraseology with the precise and studied manner of expression of that specious invention, and the whole affidavit itself, and then arrive at any other than a correct and honest judgment? The letter signed W. Scott is not, as I believe, in the hand writing of Mr. Draper, but written by Mr. Bowen, with whom, and one other, the fictitious name to be used in our correspondence was entrusted. Mr. Blatchford swears that "Ford went on at the instance of Mr. Draper, Mr. Bowen, myself, and I think of Mr. Grinnell also." In another place in his affidavit, he says: "I think Mr. Ford went on at the instance of Mr. Draper and Mr. Bowen. I do not remember whether I ever saw Mr. Ford or not. He was a person Mr. Bowen knew." Mr. Bowen was Chairman of the Executive Committee.

My statement of these transactions is before the public, and they will, as a consequence, compare it with the affidavits of the parties I implicate with participation in these frauds, and also compare the affidavits of the parties one with the other. For this object, I have appended them to this publication.

I now come to the examination of Mr. Draper's affidavit, made at the same time, and under the same circumstances. And if, in mercy, I forbear an analysis of

this incongruous mass, I trust that neither the gentleman himself, nor the public, will attribute it to any apprehension of being "*impaled alive*;" but that I am governed by the reasons and considerations before given. Mr. Draper's affidavit is a tissue of contradictions and inconsistencies. It is a *non mi recordo* business from the beginning to the end.

In justice, however, to Mr. Draper, I will state, that one, at least, if not more, of his replies to the several interrogatories by the District Attorney on that occasion, may have been correct. It is in reference to that sly conceit of the letter.— "It was sent by Ford; I do not know what his first name is." "I think it was sent to Glentworth by Mr. Blatchford." Here Mr. Draper and Mr. Blatchford are at issue. Does it not appear somewhat inconsistent, that I should, under the circumstances, as admitted by Mr. Draper himself, call at his house at eleven o'clock at night, to make, for the first and only time, at so unseasonable an hour, so unreasonable, not to say improbable, a request, as to ask his draft on Philadelphia, at sight. With Mr. Draper I have done, and have only to refer the public to his affidavit, for a confirmation of all that I have charged.

Mr. Henry W. Haven's affidavit I have before commented upon. And I do not consider it necessary to say one single word more of Mr. Noah Cook or his affidavit. I publish it as a matter of course, with the others.

A very large proportion of the whig party in this city, and throughout the United States, have entertained a most erroneous impression, that I had violated the confidence of the party, in communicating its operations to Mr. J. D. Stevenson.

It will be recollected, that I have had no ability to place this matter in a proper light before the whig party and the public. Until the 22nd day of last month, my personal safety made it necessary that I should tamely submit to bear this stigma.

That I was not the first to communicate the fact, that such frauds had been perpetrated, I have an affidavit and other proof in my possession, and am ready, if this fact is disputed, to present the same to the public. The fact that frauds had been perpetrated, was communicated "*by more than one person high in the confidence of the whig party*," and I hold the evidence to prove it.

I have now redeemed my pledge to the public. I have given a statement of the frauds, and that statement is true in every particular. I might have been more prolix, and given some circumstances that have an indirect bearing upon the object for which this is made. My design has been to present the facts in such a light as to give the public the information to which they are by right entitled—to mete out equal justice. And if I have swerved, or yielded in one instance, and one alone, it has been at the sacrifice of my own judgment, and at the warm earnest solicitation of a few steadfast friends. A sense of duty has determined me to bring this matter again before the public. I can foresee the embarrassment which it will occasion me; I can foresee the attacks which will be showered upon me from many sources; and I would willingly have suffered it to have rested where it was, before this publication, if I could have reconciled such a course of conduct with my sense of duty.

Having wronged the public by my acts, I could do no more nor less than make to them the only reparation in my power—confess my errors, and point them to others who participated in those discreditable transactions, in infringing those inestimable rights

"Which are the freeman's boast,
And patriot's only hope."

APPENDIX.

Examinations of R. M. Blatchford, Simeon Draper, Jr., Robert C. Wetmore, Robert Swartwout, Noah Cook, and others, before the Recorder of the city of New York, in October, 1840 :

City and County of New York, ss : Richard M. Blatchford, of the city of New York, counsellor at law, being duly sworn, having been brought before me on subpoena, says : He knows James B. Glentworth ; I do not know that Mr. Glentworth was appointed with Mr. Swartwout, or with any other person, in October or November, 1838, to go on to Philadelphia ; I do not know that he was appointed alone or selected for that purpose. I know the fact that he did proceed to Philadelphia at that period ; I do not know at whose instance he went ; I do not know, on his return, of his having a meeting at my house, office or elsewhere, with any persons that I recollect ; I do not remember having a meeting with Mr. Draper, Mr. R. C. Wetmore, or with Mr. Glentworth about that time, though it is possible such was the case, as it was before the election, and many meetings were held about that time among our political friends ; I do not remember the subject matter of the interviews as far as relates to Mr. Glentworth ; there was no draft to my knowledge given to Mr. Glentworth by Mr. Draper or any other person upon Mr. Gill, of Philadelphia ; I do know from information only, that Mr. Glentworth received money to be used in Philadelphia ; I received this information from Mr. Glentworth, I think ; Mr. Glentworth said he had been informed by Colonel Swift and other persons in Philadelphia, that Mr. Page and other persons belonging to the locofoco party, were engaged in a project of sending on to the city of New York a large number of persons to vote at the election in the city of New York.—It was suggested by some persons in the whig party, and among others by Mr. Glentworth, that the only method of safely counteracting the effects of such a project, was to procure from Philadelphia the attendance of several persons familiar with individuals in that city who would be likely to lend themselves to such a fraud. Mr. Glentworth suggested that he had been to Philadelphia, and had seen individuals there who had promised to aid him in procuring men to come on here, and be present at our polls for the purpose of detecting such fraudulent voters as the other party might bring on from Philadelphia. Mr. Glentworth stated that the measure would be attended with some expense, and that, therefore, certain funds would be required to defray those expenses. In that conversation it was understood that funds should be furnished for that purpose. I was one of the persons belonging to our party who had the disposal of the funds for paying some of the necessary expenses of the election, and for that reason this communication was made to me—I gave it my assent, as did also Mr. Draper, who, I think, was present, on the express understanding and declaration, that under no circumstances, directly or indirectly, should any of the money appropriated for that object, be used for any illegal purposes connected with the election, or for bringing any person whatever here to vote, or to influence voters. Mr. Glentworth gave a solemn assurance that for no such unlawful purposes should any portion of the money be used. I do not remember how much was appropriated for that object, nor who gave it to Mr. Glentworth. I think Mr. James Rowen was present. I do not think that Mr. R. C. Wetmore or Mr. Moses H. Grinnell were present. I have no recollection when this took place ; the time is long since and I was much engaged at the time with matters connected with the elections. I think this was the very last of October. Who employed Mr. Glentworth to go to Philadelphia, I do not know. The application was made to us in consequence of the expenses which would be attendant upon it. I do not know who went on, or whether any one went on to see Glentworth before this at Philadelphia. I know a man by the name of Ford went on to Philadelphia after this. He went on at the instance of Mr. Draper Mr. Bowen and myself, and I think of Mr. Grinnell also.

The object of this visit was to request Mr. Glentworth to desist from every thing that he was doing in Philadelphia. There was a letter written to Mr. Glentworth by Mr. Draper, I think alone, although it may have been signed by Mr. Draper, Mr. Bowen, I think by Mr. Grinnell and by myself. If it was not, however, signed by us, it was written certainly by the three, but upon reflection, I am not certain that Mr. Grinnell had anything to do with it, although it was read to him and approved by him. The following is a copy of the letter: "New York, October 31st, 1840"—I have made a mistake, as this is written from a copy, and I ask leave to alter it. As altered it should read:

"NEW YORK, October 31st, 1839.

"Dear Sir—Two of your letters, written yesterday, have found their way to this city; the project which you laid out is not wholly understood by your friends here. The position which they consider themselves placed in, is easily summed up, and their only fear is, that you may have misunderstood their motives and desires. If you have made any arrangements which in any way tend to any thing beyond a general supervision of the polls, for the purpose of detecting and preventing illegal voting, you must at once unequivocally abandon it, and look to them for any expense which your precipitate steps may have occasioned. We value the cause as highly as any portion of our fellow citizens value it, but we are determined not to enter into any sort of arrangement which, under any circumstances, could be construed into a bargain for foreign votes. We therefore take the earliest and most effective mode of saying to you, that while we are ready to submit to the expense which you may have incurred in your preliminary arrangement, we will not countenance any system which can in any way encourage the importation of voters.

"We know your desires, and shall be willing to meet your wishes, provided they are based upon the simple point of protecting the rights of the honest voters, which we deem your only hope or expectation."

This concludes the letter; I am not certain whether this letter was sent by mail or by Mr. Ford; I think Mr. Ford went on at the instance of Mr. Draper and Mr. Bowen; I do not remember whether I ever saw Mr. Ford or not; I do not know Mr. Ford's first name or residence; he was a person Mr. Bowen knew; Mr. Draper has the draft of this letter, from which the copy I have read was made yesterday; there was money furnished at the time of writing this letter, to be sent to Mr. Glentworth, but I do not recollect the amount; I believe I gave the money to Mr. Draper and Mr. Bowen, from the fund which was in my hand; my impression is it was \$200; I am certain it was not \$500; I feel pretty confident it was \$200—at all events, that is all I know of; I presume I have a memorandum at my office, which will tell precisely what the amount was; Mr. Glentworth returned to the city immediately after the writing of this letter—I think so—I am not positive. He did not have an interview with me at my office on his return; according to the best of my recollection. I met him in Broad street; I do not remember any agreement to meet at Mr. Draper's house with Mr. Bowen, Mr. Grinnell, and Mr. Wetmore, on Saturday night following his return at 10 o'clock, nor do I remember any such meeting; two years have elapsed since that time. I cannot tax my recollection, as it was a time of great political excitement and occupation. I do not remember a meeting at Mr. Draper's until two o'clock on Sunday morning, at which Mr. Glentworth was present. The letter I have mentioned was written at Mr. Grinnell's house. I do not remember Mr. Draper giving Mr. Glentworth one or two drafts at sight on Mr. Charles Gill, of Philadelphia, amounting to two thousand dollars, or any such sum. No drafts were sent on to Mr. Glentworth by Draper at the time the letter was written, that I know of; and I think it could not have been without my knowledge.

Mr. Glentworth did not, to my knowledge, go on to Philadelphia in the spring of 1839, with a view to make any arrangement about the spring election. I know Henry W. Havens of this city. I do not know of any money being forwarded by him to Mr. Glentworth, either in the fall of 1839 or spring of 1839. Mr. Robert Swartwout did not go to Philadelphia at either of our instance, nor did I know that he went to Philadelphia, nor did I ever hear or know of any other person or persons going to Philadelphia for or on behalf of the whig party, except Mr. Glentworth, as before stated; and he only for the avowed, and declared, and so believed by me, purpose of bringing individuals here to detect illegal votes, which, it was said, the other side intended to bring from Philadelphia to vote here, which intention I fully believe they meant to carry into effect, which was the sole reason of my giving my approbation to Mr.

Glentworth's going to Philadelphia. I do not remember what the two letters were alluded to in the letter above copied, nor do I know to whom those letters were written; they were such, however, as led us to fear it was possible that Mr. Glentworth might do what would not meet our approbation, and be consistent with right and justice, and the distinct understanding under which we gave our assent to his going, though I am bound to say, from my indistinct recollection of the letters, that there was nothing in them which could show that Mr. Glentworth was actually engaged in any illegal proceedings, but fearing lest his ardent temperament might lead him astray. I understood from Mr. Glentworth that several persons did come on from Philadelphia to detect illegal votes that fall; he did not state the number; I do not think I ever heard the number from him, or from any body else; he stated, however, there was not near as many came on as would have come if our letter had not been written.

I do not know, from information or otherwise, who had the disposition or appointment of these men after they came on: I think, however, Mr. Glentworth told me he had the disposition of these men, and that he came on with them; I have no recollection how many he was authorized to employ or bring on for this purpose—it was not many, however; I have no recollection or knowledge of how much money he was authorized to spend for this purpose; I cannot say whether he was limited as to amount—yet he must have been; I have no doubt he was; I have no knowledge that he wrote from Philadelphia, as to the terms upon which he could get the men to come on—he certainly never wrote to me, and I had no communication with him except as above; I do not remember that he furnished an account to the committee of money spent by him; there was no account kept by me of the moneys paid or sent to him, nor by any one else that I know of; it was pretty exciting times, and rigid accounts were not kept. I never heard of persons being sent from Albany in this way under similar or any arrangement, with Mr. Glentworth or any other person.

Mr. Glentworth, I do not think, ever told me the men that came on here with him voted. I did understand, but from whom I cannot tell, that there was illegal voting on both sides. I think I saw it in the Evening Post. It was in consequence of that, that I, as one, was desirous to have a registry law.

R. M. BLATCHFORD.

Taken and sworn this 22d day of October, 1840.

ROBERT H. MORRIS,
Recorder of the City of New York.

City and County of New York, ss: Robert C. Wetmore, merchant of the city of New York, being duly sworn, deposeth and says: Knows Mr. Glentworth, and has three or four years; he was appointed Tobacco Inspector a year ago last winter; I have no knowledge that he was sent by any person or persons to Philadelphia, in the fall of 1838, to make arrangements in relation to the fall election; I do not know that he was in Philadelphia in the fall of 1838; I did not, nor to my knowledge did any other person receive a letter from him in the fall of 1838, from Philadelphia, or from any other place; I know James Bowen of this city; I do not know of Bowen's writing a letter to Glentworth at Philadelphia in the fall of 1838; I do not know a man in this city by the name of Ford; I had not the most distant knowledge that Glentworth was at Philadelphia, under any circumstances, in the fall of 1838; I did not meet Mr. Glentworth at the house or office of Mr. Blatchford, or anywhere else, early in the month of November, 1838; I never met any person at Mr. Draper's house in the fall of 1838, nor have I ever been at his house; I know nothing of Draper's drawing a draft on Charles Gill, of Philadelphia; I know Henry W. Havens; I do not know of any money being given to him to carry to Philadelphia, or package said to contain money; Mr. Bowen, in 1838, was Chairman of the Young Men's Executive Whig Committee; I do not know of persons coming on from Philadelphia in the fall of 1838, to look after illegal voters; I know Noah Cook and John F. Raymond, but I do not know Patrick McArdle; Raymond was afterwards a member of the Committee, and is since made Leather Inspector—knows nothing of Raymond's character; knows nothing against him; he has always appeared civil; never had any conversation with Raymond about persons coming on from Philadelphia; I never told Raymond to send McArdle to me; I have no recollection of ever having heard McArdle's name mentioned under any circumstances; I know of no transaction of Noah Cook's giving any person the charge of some men at National Hall, to attend the

polls; I never heard any thing in relation to Mr. Blatchford and others writing to Mr. Glentworth at Philadelphia to stay bringing men on here; I do not know of any men being at the Alms House in the fall of 1838 from Philadelphia; I do not know of any clothes, old or new, being sent to any committee room to be used during the election, either from the Alms House or any other place; I recommended Glentworth, as did, I presume, others recommend him for his office; I did not put his application upon the ground of extraordinary services rendered by him for the party; I think I wrote to the Governor for him; I do not recollect whether I have received a letter from him about his office, either before or since his appointment; I do not remember whether, subsequent to his appointment, he wrote to me a letter about his reappointment or in relation to some attempt made to remove him; I think he did write to me something about fears he entertained about being removed; I have not the letter; it is not in my possession, nor under my control; I do not know what I did with it; I do not recollect whether I can give a line of that letter; I do not remember that Glentworth made threats in the letter that he would make disclosures if he was removed; I do not recollect that I showed the letter to Mr. Bowen; I may have done so, as we were intimate; I may have left the original letter with Bowen; I do not recollect receiving a letter containing a threat that he would make disclosures if he was removed, or anything of the kind; I do not remember calling upon Mr. Bowen to get him to write to the Governor to retain Glentworth, yet it is very likely I may have done so; I do not think I wrote to the Governor in relation to the subject of his removal; I have no recollection of having done so; I do not know of any other means that prevented Glentworth's removal other than those of common decency, which would prevent an active, useful politician being removed from an office he had so ably earned—I am confident that no funds went from the Young Men's Committee to Mr. Glentworth, as if it had I should have remembered it; I do not know Bela Badger; although I do not know that Mr. Glentworth rendered extraordinary services to the party, yet he was an active and useful member of it: I now remember I have known Mr. Glentworth since 1834:

ROBERT C. WETMORE.

Sworn this 22d day of October, 1840, before me,

ROBERT H. MORRIS,
Recorder of the city of New York.

Robert Swartwout appeared according to the subpoena, and being duly sworn, says: Knows James B. Glentworth, Tobacco Inspector of this city; I was passenger in the car for Philadelphia with Glentworth, in the fall of 1838, and I think in the month of October, between the 15th and 25th; we met accidentally as to me; I accompanied him to see persons in Philadelphia after we arrived there—the only person I accompanied him to see was the Mayor of Philadelphia, Mr. Swift; I introduced him to Mr. Swift; I do not know what his business was with the Mayor of Philadelphia; they did not converse in my presence upon business; I told the Mayor that Mr. Glentworth had requested me to introduce him, and he had some business with him; the Mayor and Glentworth conversed together apart, in another room, with folding doors open; I remained with the family; it was at Mr. Swift's house, and I think upon Sunday; I did not know, either from Glentworth or otherwise, what the object of Mr. Glentworth's visit was to Philadelphia; Mr. Glentworth and myself left Mr. Swift's house together; had no conversation with Glentworth either in going to, or while in Philadelphia, in relation to the object of his visit; from the Mayor's house I think we returned to the United States Hotel. I do not recollect that I introduced him to other persons, though I may have done so; I went with him to the Exchange; I was in Philadelphia about forty-eight hours; I think I returned and left Glentworth there; was present at no other meeting between Glentworth and the Mayor; before I went to Philadelphia I had seen Glentworth; I was in the habit of seeing him daily in the committee room in Broad street; we went on in the evening boat; I was not requested by any other person to introduce him to the Mayor; I do not know James Young, the officer of Philadelphia; I do not know George W. Roan nor Bela Badger; I do not know that Glentworth was furnished with funds by any person when he left the city; never heard it so stated—nor that he was furnished with any while there: I did not gather from anything that he said, nor did I suspect what the object of his visit was at the Exchange, I think the day previous to the general election in Pennsylvania; I do not know that Glentworth had a meeting with persons here before he went to Philadelphia; I think it probable there was a meeting of the Executive Committee at the room the day on which we went to Philadelphia, though I do not recollect it; but meeting him very frequent, I was not chosen as a delegate to go to Philadelphia; I do not know whether Glentworth was sent, or whether he went on his own accord; my visit was not at all connected with Glentworth's visit there.

ROBERT SWARTWOUT.

Taken before me, this 20th of October, 1840.

ROBERT H. MORRIS,
Recorder of the City of New York.

City and County of New York, ss: Noah Cook, forwarding merchant of said city, being duly sworn, saith that he has read several affidavits in a paper called the Standard, published in this city, in which it is represented that this deponent and others were, in the fall of 1838, and spring of 1839, engaged in procuring and introducing into this city, persons from Philadelphia and Albany, for the purpose of voting at the elections. This, so far as I am concerned, is untrue in all its parts and particulars; neither do I know any person belonging to the whig party who was engaged in any such enterprise. During the fall of 1838, I was furnished with information from Newark, Paterson, New Brunswick, and several other towns in New Jersey, from Philadelphia, Albany, and from several towns in Connecticut, that arrangements had been made, and were making, by the loco foco party, to send a large number of persons to this city, for the purpose of voting the loco foco ticket; this information, in many cases, gave the names of the individuals who were to come here to vote; in others the names of the individuals who were employing persons to come to the city to vote, with the amounts paid to each individual. I had particular information that in Philadelphia an office had been opened in Chesnut street, under the supervision of persons of the loco foco party, named to me, and that they were sending on a large number of individuals, the names of some of whom were given, and which individuals did, as I was informed and firmly believe, come on to the city, and that some of them did vote the loco foco ticket; and that many more would have done so but for the measures taken by this deponent and others to prevent it. And this deponent further saith, that after coming into the possession of these facts, he advised and aided in procuring individuals to come to this city to be stationed at the different polls to detect persons sent on to vote the loco foco ticket; that most of these persons did, by appointment, meet this deponent at National Hall, and were by him directed to the several wards where they were to be stationed. And this deponent further saith, that he knows of no person having voted illegally at either of these elections, although he was informed at that time, and believes that there was illegal voting, particularly on the part of the loco foco party. And this deponent further saith, that so much of the affidavits as relates to the procuring clothes for the use of any person at National Hall is, so far as he is concerned, and as he believes, all others, totally false.

NOAH COOK.

Sworn this 23d day of October, 1840, before me,

W. R. BEEBE, Commissioner of Deeds.

AFFIDAVIT OF PATRICK MCARDLE, TURNKEY OF THE DEBTORS PRISON.

City and County of New York, ss: Patrick McArdle, of the city of New York, being duly sworn deposes and says: he is now deputy keeper or turnkey of the Debtors Prison in the city of New York; in the fall of the year 1838, I was then attached to the criminal department, and was either at the city prison as underkeeper to Mr. Cogswell, or was at Bellevue in the Penitentiary department under Cogswell; I am not certain as to my location at this time, because at some period an arrangement was made by which Mr. Baldwin, who was under Mr. Vanderbilt, came down to the city prison, and I took his place at Bellevue; this arrangement was made; I knew while it was going on; I was dissatisfied with the suggestion—consulted with my friends, and through their advice I went up. During the fall election of 1838, I resided in the Sixteenth Ward, between the Second and Third avenues, in Twenty sixth street. It was said at the time at Bellevue, that some persons were discharged from Blackwell's Island, and slept at Bellevue for the purpose of voting—I did not hear the number mentioned—I saw one person with a wooden leg, who was said to be one of them—I do not know that I saw any other—the understanding was that these persons were persons on the Island, and were discharged. I heard at the Alms House, and was present when it was talked of—I had some men there—some ten or twelve men, who were sent there to vote, and were put under my charge—they were sent from down town—they were not under my charge over an hour—they went off blither and thither dissatisfied—I wanted them to stay, and they said they would not, because I believe they had drank rather too much. At that time I had been introduced to all of them—in the course of the day I had a hint that some men were to come—Raymond is the man who gave me the hint—he said they would come from head quarters—headquarters meant National Hall, in Canal street. Raymond said I had better go down and get some men—I went down to National Hall—I went into a room up stairs, and the men were assigned to me by Noah Cook—there was another man present—a tall raw-boned man—I do not remember that any one else was present—the men were brought to the room while Noah Cook was present—it was understood that the men were for the purpose of voting, and Noah Cook said these are your men, you must take care of them. I took the men up Broadway with me, and stopped in public houses in Broadway and treated them—I got all of them to the Alms House, with the exception of three or four—there was about one dozen in all put under my charge—this was the day before the polls opened for the November election of 1838; this was three, four and five o'clock in the afternoon. We went up Broadway together—I was to take them up and lodge them where I pleased, so that they could vote—they all left me in less than an hour after we got to the Alms House—it was about nine or ten o'clock when we got to the Alms House—we had been talking along the way and stopping—Raymond, now Leather Inspector, was the person who first spoke to me in relation to this business—Raymond, at that time was attached to the Alms House department, and first spoke to me in the neighborhood. I saw James Glentworth, now Tobacco Inspector, and conversed with him about this before it was done—Raymond told me of it, and said I must see Glentworth about it—I saw him, Glentworth, at an auction store in Broad street—Glentworth said there would be some men here for the purpose of voting at the then coming election, and from what Raymond had said to him, that I had better take care of them. This interview with Glentworth was about some three days before the election of November, 1838—Raymond may have spoken often in this haphazard way: we

are going to have some men here to vote, and you take care of them—I had a memorandum of the names of the persons which were given to me—Noah Cook, I think, gave me the memorandum of the names of the men—he gave me this at National Hall, or it may have been given at that time by the other person I have spoken of, whom I do not know—I have not to my knowledge seen the other person since—I have never seen any of the gang of them that I had, that I know of since—Raymond asked me next morning, that is the first day of the election, what had become of them—in fact he knew it, because he was attached to the Alms House—Raymond said to me, there are men going to be here to vote, and you had better go and see Glentworth and take charge of them. The understanding was for Cook and the other man, that some one was to come to the Sixteenth Ward and take the men—I was to attend to the men at the Sixteenth Ward poll—there was a man to come and take them after they had voted at the Sixteenth Ward—all I had to do with them was to take them to vote in the Sixteenth Ward—Raymond was then at the polls of the Sixteenth Ward, and asked what had become of the men—Raymond supposed that they had cut and run and went off—which is the last I heard of it.

PATRICK MCARDLE:

Sworn this 22d day of October, 1840, before me.

ROBERT H. MORRIS,
Recorder of the City of New York.

City and County of New York, ss: John F. Raymond, of the city of New York, being duly sworn, deposes and says, he is now Leather Inspector of the city of New York. I know James B. Glentworth, Tobacco Inspector of the city of New York. In the fall of 1838, I was connected with the Alms House establishment at Bellevue, in the city of New York, and was during November, 1838. I know Patrick McArdle; he was attached at that time to the criminal department at Bellevue; I know Noah Cook, who was elected a member of the legislature for this city in the fall of 1838; I knew Glentworth in the fall of 1838: Noah Cook is a forwarding merchant; I do not know that James B. Glentworth procured persons to come here and vote at the fall election of 1838; I never had any conversation with him upon that subject in my life. It was talked of that Mr. Ingersoll and Mr. Brown were organizing persons to come here and vote the loco foco ticket; that Glentworth had gone to Philadelphia to get men to come here to watch the polls, and prevent the other persons voting: whether Glentworth succeeded in getting men, I do not know from my own knowledge, but I heard he did. This conversation might have been with Noah Cook; I heard that Patrick McArdle had a gang of men under his charge in the Sixteenth Ward; and my impression was they were part of the men Glentworth had got; this I heard from McArdle himself; I might have told McArdle that Glentworth was to have men come from Philadelphia, and that he, McArdle, must take care of them. I had this conversation with McArdle while Glentworth was in Philadelphia, as I suppose; I did not see McArdle on the night previous to the election of November, 1838, unless I saw him before he had seen Glentworth. I think McArdle had his instructions from another man, not from me; I heard in different committee rooms, and from Noah Cook, that persons were to come and be at the different polls, from Philadelphia and New Jersey, to prevent illegal voting; to watch the opposite party. There were some such men I know from New Jersey, attending the Sixteenth Ward poll. My impression at the time was that there was an enterprise on hand to get illegal votes, and that the men which McArdle had under his care were to put in illegal votes if they could be successfully managed. I heard a great deal about Glentworth's being gone at the time, and I heard Noah Cook say a letter had been sent to him, that if he had gone any farther than to get men to come and watch the poll and prevent illegal votes against the whig ticket, he must stop and go no farther about it, and this I heard while Glentworth was gone, and before the election. I did not, according to my impression, see Glentworth after his return from Philadelphia before or during the election. I now remember that the day after the election, or very soon after, I heard Glentworth speaking of McArdle's inefficiency, and said he was not the man for him, as the enterprise had failed through his inefficiency. After the election, the amount of money said to have been spent by Glentworth was spoken of in many places in my presence. It was said he must have appropriated some of the moneys to his own use, and had not applied it as he was to have done, and as he stated he had done. I think Robert C. Wetmore was the person who gave the directions to McArdle. My impression is, I sent McArdle to R. C. Wetmore to get his directions about the men; I should think it was the day previous to the election that I so sent him; I heard it said in conversation among us, that it was supposed we had got in enough illegal votes to balance the illegal votes put in by the other party; this I may have heard from Robert C. Wetmore, Noah Cook, Henry W. Havens, or Glentworth, but am not certain it was either of them. Mr. Robert C. Wetmore told me to tell McArdle to meet him; that he wanted to have McArdle meet him, and that there would be some men to be put in his charge. First conversation I had with Mr. Wetmore was that Glentworth had gone to Philadelphia and would get some men, and that McArdle was to take charge of them. I gathered from the conversation, though I cannot give the words, that the men were to come on here and vote illegally at the then coming election.

JOHN F. RAYMOND.

Sworn this 22d day of October, 1840, before me,

ROBERT H. MORRIS, Recorder of the City of New York.

Simeon Draper, of No. 10 Warren street, merchant, was then sworn and examined:

Q. Do you know James B. Glentworth?

A. Before answering any questions, I am now in attendance before the Special Justice for preserving the peace of the city of New York, under and by virtue of a subpoena signed by Robert H. Morris, Recorder of the city of New York. First protesting as a citizen

against the authority of the tribunal before whom I am summoned, as an arbitrary and illegal body, usurping powers in violation of civil rights, and of the laws under which they assume to act, I profess my readiness to answer all and every question it may be their pleasure, under their usurped powers, to propose

Recorder. In future, I desire the Clerk to strike out the words Special Justices from the subpoenas, so that it may appear that the parties are summoned only before me, as in fact they are.

Mr. Whiting. This is another specimen of what we had to-day.

Recorder. I don't consider it necessary that there should be any argument on the subject.

Mr. Whiting. If Mr. Draper thinks this an illegal tribunal, I will not examine him or ask him any question, until he comes to some tribunal before which he considers himself bound by the solemnity of an oath.

Mr. Draper then said, I will state that the protest entered by me, in answer to the suggestions made by the District Attorney, is not intended in any way to prevent a full investigation, so far as lies in my power, of my conduct, or that of others, in reference to the subject matter under consideration; and I sincerely believe in the efficacy of the oath tendered to me by the Recorder on this occasion; and under which I consider myself accountable to the laws, and to my Creator, for the truth of what I might state under that oath; and that it is not my object or intention to arrest the enquiry, but as the District Attorney declines asking me any questions, I do intend to make a statement to the public, full in every respect, under my oath, to be taken before his Honor the Recorder.

Upon this explanation being given, the District Attorney proceeded with the examination.

Q. Do you know James B. Glentworth?

A. I do.

Q. How long have you known him?

A. Three or four years, I suppose. I don't recollect exactly.

Q. Did you not know him as early as 1834?

A. I do not think I did. I may, however.

Q. Did you, in the fall of 1833, just preceding the election, or at any other time, draw a draft or drafts, or procure to be drawn a draft or drafts upon Charles Gill, of Philadelphia, or any other person, for any amount of money, which were, or were to be given to Glentworth?

A. Glentworth called at my house on a Saturday evening preceding the election in the fall of 1833, and requested me to give him a draft or letter which would enable him to obtain money in Philadelphia, offering to give me New York checks or bank bills for the same. I gave him a draft, or letter which was tantamount, for the sum he paid me, on William, not Charles Gill.

Q. For what amount was your letter or draft?

A. I cannot say exactly, but think it was less than \$1000; as near as I can recollect \$600 but it might have been more.

Q. Did you at that time give him any other draft, furnish him with any other funds, or the means of obtaining other funds?

A. No other than I include in my previous answer.

Q. What did Glentworth give you for that draft?

A. I have told you in my previous answer.

Q. Whose checks, and to what amount, what kind of money, and to what amount, did he give you in exchange?

A. Whose checks, and what kind of money, I cannot tell, two years having elapsed since the transaction, or nearly so. The amount was equal to the draft or letter of credit given. I cannot distinguish how much of the amount was in checks or bank notes.

Q. Where was your place of business at that time, and where your residence?

A. No. 69 Pine street my place of business; No. 10 Warren street, my residence.

Q. Did Glentworth, on that occasion, call at your house alone, or in company with other persons?

A. I do not remember any person calling with him.

Q. Did he call by appointment?

A. Not made with or by me.

Q. Did he call pursuant to an appointment made to your knowledge, information, or belief, with any other person?

A. He did not.

Q. How late on Saturday night did he call?

A. The precise hour I cannot tell. I think between ten and eleven o'clock.

Q. Had you seen him before on that day?

A. It is impossible for me to say.

Q. How long did he remain at your house?

A. Long enough for the drafts to be drawn or the letter to be written.

Q. Please to state the number of hours he was at your house, or the hour that he left it, as nearly as you can.

A. He left us as soon as he was through with his business, in perhaps about thirty minutes, as near as I can recollect.

Q. Who else was present that night at your interview with Glentworth?

A. I remember of no one at the time he was there.

Q. Had Glentworth arrived in this city from Philadelphia on that day, to your knowledge, information or belief?

A. I have no recollection, or knowledge, or information that he did.

Q. Had he been previously to Philadelphia on any business in which you had taken any and what interest?

A. I think he had been to Philadelphia. I never have been interested in private business with Mr. Glentworth. I think he had been at Philadelphia, but on no business of mine nor at my instigation, nor under my advice or with my knowledge when he went.

Q. Had you ever, previous to that Saturday night, given your drafts to Mr. Glentworth in exchange for checks or money, at your house?

A. Not that I remember.

Q. Did Glentworth at any time and when communicate to you the object of his visit to Philadelphia?

A. He did on one visit, I don't know which. He told me one time what he was going on for.

Q. What did he tell you he was going on for?

A. He stated to me that he had ascertained through his friends in Philadelphia, amongst others, the ex-Mayor, Col. Swift, that the officers of the Police had discovered that a very important arrangement had been made by the then Collector, the Postmaster, Mr. Ingersoll, and I think a Mr. Brown, to send on some three hundred persons to this city to vote the Locofoco, or Administration ticket; that there had been a regular office opened in or near Chestnut street, where men were taken, bargained for, and sworn to come to this city to vote, and that it was utterly useless for the whig party to attempt to carry the election, unless these men were prevented from carrying out this fraud; that he had learned through Col. Swift the names of some of his old officers, and obtained from them the knowledge of these facts; that they, the officers, were the only persons who could detect them, and they could do so as they had all the particulars, had seen the oath and list of names, and understood the entire operation. And he said in consequence of this he was going on for the purpose of making arrangements to bring on men to identify and detect the illegal voters who were referred to above.

Q. Did you at the time believe this statement of Glentworth's, and that the gentlemen named as being concerned in that business were so engaged?

A. I then believed that there had been a bargain made for illegal votes by the opponents of the whig party, and I believe now, that such an arrangement was made. I shall not give any opinion as to the precise individuals who were engaged in it, without a more thorough investigation. I have nothing but rumor to add to the testimony, further than Glentworth's saying so to me. His saying so was considered sufficient to call for this examination; whether it shall be taken in evidence against the individuals I shall leave the public to judge. Such was the statement made by Glentworth, and I acted upon it so far as I did act.

Q. Did you not disbelieve that Mr. Ingersoll and the gentlemen named were engaged in such an arrangement?

A. I do not remember what my opinion was at that time in reference to any of the individuals named, except as they were included in the statement made to me by Glentworth. I do not wish to reflect at all on the character of these gentlemen, and at the same time I do not wish to weaken the statement made by Glentworth.

Q. Predicated upon that statement, what did you do?

A. I can fix upon no positive act at this moment, further than before stated, except to advise and assent to the carrying out of the plan.

Q. How long was your assent to the carrying out of this plan given previous to the election?

A. I do not remember—I cannot tell.

Q. State as nearly as you can how many days it was before you gave him the draft on Philadelphia?

A. I am not sure that it was not on the same day.

Q. Do you remember the answer you gave Glentworth on his disclosing to you the fraud he spoke of?

A. I do not recollect making him any answer.

Q. Had you an interview with Glentworth at any time previous to the night you gave him the draft, in which the coming election was the subject of conversation?

A. I had frequent conversations with him during the period of preparations for the election.

Q. In any of those conversations did he tell you of any plan that could be resorted to to defeat the contemplated fraud?

A. No further than the plan before alluded to.

Q. Are you positive that you did not know that Glentworth was or had been in Philadelphia in relation to the election, until the Saturday night you have before spoken of?

A. I did not know that he had been to Philadelphia before I saw him on Saturday night, and as I understood from him, for the purpose heretofore stated.

Q. When, previous to, that Saturday night, did he tell you he had been there on business?

A. I believe I before stated I could not recollect. It might have been on that day.

Q. Did he tell you at the first interview that he did or could make such arrangements?

A. I think he said he had seen the parties, and had so far progressed, that it required nothing but money to finish it.

Q. Did he tell you by whose authority he made these arrangements?

A. I do not remember that he did tell me particularly the individuals, but I understood that he was acting as a member of a committee.

Q. What committee?

A. One of the whig committees of this city. I don't know which. I had nothing to do with it. I was not in a whig committee at the time.

Q. Did you understand from what he said, what committee he meant?

A. I understood him to mean one of the standing committees of one of the two whig organizations in the city—the seniors or juniors.

A. I know of no arrangement made with these men, of the character referred to by the District Attorney, nor any other arrangement in any way whatever affecting their conduct here in that particular. I want to add to that. I do remember that it was distinctly stated that there was an organization got up by the loco loco or administration party at that time, where a mark of ink on the ear was understood to designate them at the poll, and have no doubt the District Attorney got that information on the wrong side—on the other ear.—[Laughter.]

District Attorney—Then I will take hold of the other.

Q. Who was it that distinctly stated this, sir, and on what day of the election?

A. I cannot particularize the individual or individuals, or the particular day I heard of it; every day it was commonly talked of at the time.

Q. Did you communicate it to the Inspectors, or see any man at the polls with such a mark?

A. Not to my recollection.

Q. How many persons came on from Philadelphia?

A. I do not know.

Q. How many of them did you see?

A. I think I saw five or six that were said to come from there. I do not know whether they did or not; the information was given me by Mr. Glentworth.

Q. Where, and on what day, did you see them?

A. I think it was at National Hall; on what day I cannot say. I believe it was on one of the days of the election?

Q. Was you introduced to them, or any of them?

A. I believe not; I might have been, however; I was certainly not four minutes in the Hall or the place.

Q. Do you remember the names of any of them?

A. No, sir, I do not.

Q. Were these all that you saw the whole evening of this thirty or forty?

A. All that I have any recollection of.

Q. Who had charge of these men at National Hall?

A. The previous answer I think will suffice; I answer, I know nothing who had charge of them; Mr. Glentworth was there when I was there; I presume he had charge of them, if they were in charge of any body.

Q. Do you know, sir, whether a single illegal voter was detected during that election, by any person who was hired to come on from Philadelphia?

A. I do not, but I believe—

D. A. That is not an answer to my question.

(Court allows him to proceed.) That their presence at the polls prevented many from voting who came on from Philadelphia.

By the Court—On what do you found your belief?

A. Upon general information from Philadelphia; I do not remember any special information; that's all.

Recorder—My object in making that inquiry is, to ascertain whether a fraud of that kind has been committed, that the individuals may be punished; I now ask whether you have any knowledge, information, or belief, from hearsay or otherwise, that will facilitate me in the inquiry of the commission of such frauds for the purpose of detecting them.

A. I have not at present any knowledge upon which I would base a complaint to the Recorder; I understand there is a determination on the part of our Whig Committee to furnish evidence of this character, of the character referred to, both in reference to previous and to approaching elections.

Q. You have stated, sir, that there were no other persons present at your house at the time you gave your drafts; were there any other persons there during the evening, just before or just after he came on account of the proposition to raise the necessary funds?

A. There were two gentlemen at my house after Mr. Glentworth left: General George S. Doughty and Mr. Redwood Fisher. They did not come there in consequence of any appointment, nor had their business any reference whatever to Mr. Glentworth. No persons were there under the arrangement alluded to, either before or after, to the best of my recollection.

Q. Was the money covered by your draft the first moneys that had been supplied to Glentworth to procure persons to come on from Philadelphia?

A. You mean the first money I supplied? I cannot remember whether it was the first money I supplied or not; I do not recollect; I think it was. That was all I had anything to do with; I heard of another \$300.

Q. Did Mr. Glentworth, before the money was supplied, give the names of the persons he had agreed to hire?

A. Not to my knowledge.

Q. Was the number of men stated?

A. I think it was thirty or forty. I do not know. I think they were.

Q. Were they all to be High Constables and police officers?

A. I don't think he confined himself to them, in his representations.

Q. Well, did he say how many would be constables and police officers, and how many citizens—lineal private citizens?

A. He never went into detail with me on that subject, that I know of.

Q. Who was to receive the men when they were sent on to New York, and assign them their respective places?

A. If I speak as for absolute knowledge, I do not know.

Q. Please to state all the knowledge, information, and belief, whether obtained at that time or at any other time, upon that subject.

A. I understood and believe that some of the men were in charge of Noah Cook; I have

seen his affidavit, I think, confirming my impressions. I have no knowledge farther than that which was communicated to me by Glentworth, and obtained through a rumor at that time; and within the last few days Glentworth has stated to me that Mr. Cook had charge of some of the men in 1838. Mr. Cook admits the truth of this assertion.

Q. Were these men to wear any outward mark, or were they to give any sign, when at the polls, by which they could be known?

Q. Did not Glentworth tell you that he was one of the young men's standing committee?

A. I do not recollect that he told me so.

Q. Did he not tell you that it was by authority of the committee to which he belonged, that he made the arrangement?

A. I do not recollect whether he did or not.

Q. You have stated in a previous answer, that you think he said he had seen the parties, and had so far progressed as to require nothing more than money to finish it. Who else was present when he said it besides you?

A. I do not remember exactly who it was. I think Blatchford and Bowen, and one or two others were present.

Q. At what place was this stated?

A. I think it was at the corner of Broad street, in Wall street, up stairs, which was the head quarters of the whigs at the time.

Q. What was said on the subject of money at that time?

A. I know nothing about it, except at that time there was a general disposition expressed to obtain money for the purpose.

Q. Did you come to any conclusion what should be done to raise money to be appropriated to that object?

A. We came to the conclusion at that time, or subsequently, to raise the necessary funds or money for that purpose.

Q. How much did you agree to raise?

A. I do not remember any specific sum; sufficient, however, to accomplish the object, if possible.

Q. How much was it stated by Glentworth, or any other gentleman, would be necessary to accomplish the object?

A. I do not recollect that any specific amount was stated.

Q. Who was to attend to its collection, and to whom was the money to be given, and how soon?

A. I don't know that any particular one was specified for that particular business. It was to be given to Glentworth as I understood, but no particular time mentioned to my recollection.

Q. Was each gentleman to collect what he could, and meet, and put it together at a subsequent time?

A. To my knowledge and recollection no such arrangement was made.

Q. Were the money and checks given you by Glentworth for the draft, the money which was collected for that object?

A. It is not in my power to tell where Glentworth got that money, but I presume he got it out of collections made for that purpose.

Q. Did not Glentworth tell you so?

A. I do not remember.

The court then adjourned to this day at ten o'clock.—*Journal of Commerce.*

D. A.—Q. Did you not know or have reason to believe that some or all of the men that came on from Philadelphia voted in this city?

A. I did not.

Q. Did you not know, or have reason to believe, that the arrangement Glentworth was making in Philadelphia, was to hire men to come on to vote, previous to their coming on?

A. I did not.

D. A. I would have that question read; I want you to reflect on that, Mr. Draper.

Mr. Draper.—When you say previous, I would say fears were entertained on seeing some letters from him, which led me, with others, to fear he might do so, to make me believe there was a possibility he might do so.

Q. To whom were those letters written?

A. I do not recollect, but think that one was to Robert Swartwout.

Q. Do you know where those letters now are?

A. I do not.

Q. Have you any information as to the person under whose control they are?

A. I have not.

Q. Had you those letters in your possession when the letter of the 31st October, 1838, was written?

A. I had not.

Q. How long before that letter was written had you seen these letters of Glentworth's?

A. I think in the morning of the same day.

Q. Did you see them both together?

A. I do not remember. I think they were both in the Committee room together in my presence, at the corner of Wall and Broad streets.

Q. Do you know who exhibited them at the Committee room?

A. I do not know.

Q. What were the contents of those letters as near as you can state it?

A. Such as to draw forth my answer of the evening; I cannot say exactly.

Q. How much money, in all, had been furnished to Glentworth previous to the writing of that letter? I will call it your letter.

A. I don't remember any farther than I have before testified in relation to the money.

Q. Was the money covered in your draft furnished to Glentworth previous to the writing of your letter?

A. I think it was.

Q. Was there \$200 sent on to him at the time this letter of the 31st September was sent?

Mr. Aitree—October.

District Attorney—October, I should say.

A. My impression is that this letter was not sent on at the time of the money. I don't

recollect, however.

Q. State all your knowledge as to that \$200, how, by whom, and when it was sent to Glentworth?

A. It was sent by Mr. Ford; I do not know what his first name is; I think it was sent to Glentworth by Mr. Blatchford; I do not recollect what day.

Q. How long before your letter?

A. I cannot particularize the time. It was paid by Mr. Blatchford, it came from him, and I think it went on with myself and Mr. Bowen.

Q. What instruction did you and Mr. Bowen give to Mr. Ford to be conveyed to Mr. Glentworth?

A. I do not remember the precise instructions; it was in effect, however, to stay proceedings of his in reference to the object of his journey.

Q. What were the \$200 sent for?

A. If I remember right, to comply with promises which had been made to some of the police officers who had made revelations to him.

Q. Where does Mr. Ford reside?

A. I do not know, but presume his name is in the Directory; I have never seen him since that time to my knowledge.

Q. Is he engaged in any business? Why did you judge it necessary then to send a special messenger to Glentworth, instead of enclosing him the money?

A. I think there was no mail; no regular mail could reach him at the time he wanted the information to be given him.

Q. With whom did Glentworth correspond in this city, on the subject of these arrangements?

A. I do not know that he kept up a correspondence with this committee, if at all.

Q. How long before your interview with Glentworth at your house, did you send Ford to Philadelphia?

A. I do not remember; I think it was after that he went to Philadelphia, not before.

Q. How long after that?

A. I cannot tell.

Q. Now, sir, did not Mr. Ford leave this city on Friday, and did not Mr. Glentworth return to this city the next day, Saturday?

A. It is impossible for me to say.

Q. Where was Ford instructed that he could find Glentworth at Philadelphia?

A. I do not know.

Q. Do you know where the money came from, or who furnished it, that was carried to Mr. Glentworth by Mr. Havens?

A. Until I saw Mr. Havens' affidavit, I never knew of any transaction between him and Glentworth in reference to money, or any thing else.

Q. What was the conversation, state it, which took place between you and Glentworth on the Saturday night you gave him that draft?

A. I had no conversation with Mr. Glentworth, except in reference to his giving me a draft. It is impossible for any man to recollect a conversation which took place two years before?

Q. How came you, sir, after writing that letter on the 31st October, to permit these men to come on here from Philadelphia without disclosing?

[Mr. Draper submits whether he is on trial. He is asked as if he could control all the people in Philadelphia.]

The Court overruled the question.

Q. In this letter of yours, you say you are ready to submit to the expenses which Glentworth might have incurred in his preliminary arrangements. Why, if he had already been furnished with the funds you have spoken of, did you make this statement to Glentworth?

A. To prevent any farther expenditure than the expenses which had already accrued.

Q. Was the instrument that you gave to Mr. Glentworth on Saturday night spoken of, a letter or draft?

A. I have before stated that I could not tell; that is easily to be ascertained.

Q. Now, sir, was not that draft or letter given to Mr. Glentworth on Saturday, the 3d day of November, 1838?

A. My impression is that it was before that—I cannot recollect the date.

Q. I understand you that that draft was given on the Saturday night preceding the election. [Minutes referred to, but the witness's words were a Saturday night.]

Q. The Saturday that you gave that draft, I understand you, was on the same Saturday night that you went to the Committee room. [Strike out that.] Did you make any entry of that draft on Mr. Gillon's books?

A. None whatever. I remitted the funds, I think on the Monday following of the amount of the draft or bill with the funds paid to me by Glentworth.

District Attorney.—That is all, sir.

I am desirous to state, before closing my testimony, that I have given it to the best of my recollection; the time which has elapsed, however, may have obliterated from my memory the precise day and date, hours or minutes. It has been stated in some of the newspapers that the memory of Mr. Blatchford was conveniently short. I desire therefore most solemnly to declare that no answer of mine was made to cover any fact within

my knowledge, or give any other than my full testimony so far as my memory serves me.

S. DRAPER, JR.

City and County of New York, ss: William A. Lawrence and Jonathan Nathan, of the city of New York, being severally duly sworn, do each for himself respectfully say, and first the said William A. Lawrence saith that the charge made against him in the affidavit of Jonathan D. Stevenson, published in the Standard and other papers of this city, of having acted as Secretary and aid to the committee at National Hall, in directing and sending out illegal voters to the different wards in the election of November, 1838, is totally and unqualifiedly false; and that he was and is entirely ignorant of any arrangement to introduce persons from Philadelphia or any other place, for the purpose of voting in this city, or of any such illegal votes having been given; and the said Jonathan Nathan for himself saith, that the like charge made against him in said affidavit of the said Jonathan D. Stevenson, is totally and unqualifiedly false, and that he was ignorant of any place or arrangement for the procuring of illegal voters or of illegal voting in said election.

WILLIAM A. LAWRENCE,
JONATHAN NATHAN.

Sworn this 23d day of October, 1840, before me.

JOS. P. PIRSSON, Commissioner of Deeds.

AFFIDAVIT OF CAPTAIN SHULTZ, OF THE STEAMBOAT INDEPENDENCE.

City and County of New York, ss: Alexander H. Shultz, of No. 31 Harrison street, in this city, being duly sworn, deposes and says, that he is master of the steamboat Independence, plying between New York and South Amboy, connected with the rail road line to Philadelphia. That he has been so engaged for nine years past—that he has no recollection of bringing on to the city of New York, persons with whom he was particularly acquainted immediately before or during the fall election of 1838. Knows James B. Glenworth, and has known him for seven to nine years. Had no knowledge, either directly or indirectly, that he was in Philadelphia in the fall of that year to procure men to come to this city to preserve the purity of the elections. "I will tell you, however, all I do know—he in his usual braggadocio manner intimated to me, that he was going on for some political purpose, that would tell for the whig party." This, I believe, was in the fall of that year, and was said in going on to Philadelphia. In a few days after he returned, and told me he had been bringing on some Hessians. I was astonished at the remark, as I saw in a moment, the object of it. I told him to hold his tongue—that he ought to be ashamed of his conversation and conduct both. I then told him I could pick out every man of them then on board the boat—to satisfy him that I could do it, I took him on the forward deck of the boat, and pointed out by a sign, all of them except one. He said he had 25 on board. I did not know any of the men personally, but judged in my selection of them by their appearance. I then again remarked to him, that he ought to be ashamed of himself, as the whole thing was contemptible. I cannot tell how many days this was before the fall election of '38. This is the only time that any persons came on to my knowledge. I am a strong and ardent whig, and I have always believed these men were brought on to this city to vote; I don't know who sent Glenworth to make this arrangement, or who furnished him with funds for that object—nor do I know that he was sent on to Philadelphia for that object.

A. H. SCHULTZ.

Sworn to before me, this 23d day of October, 1840

GEORGE W. MATSELL, Special Justice.

City and County of New York, ss: Myer Hart Marks, now residing in the county of Philadelphia, State of Pennsylvania, being duly sworn, deposes and says, deponent came to this city in the fall of 1838; was asked to go to a meeting in South Fourth street, between Lombard and South; he there saw from 30 to 50 men; Mr. Young, the then and now high constable of Philadelphia, came in; Young asked us if we wanted to go to New York, and said he would give us \$30 apiece, he did not say for what; he took down all our names that were there; I think this was on Wednesday or Thursday night; I heard nothing further until Sunday evening; I met Mr. John Gore at the corner of Fourth and Shipping streets; he said all the men could not go; that he was appointed to select such men as he thought right; he then went to each man, including myself, and stated that he would call out the names that were to go; he would make two parties of them, one party was to go on to New York the next morning, and the other on the day following; I was appointed to come on Tuesday morning. I went down to the steamboat for New York, and there found Mr. Young; Mr. Young said nothing farther to me, but gave me a ticket to come on with him, and likewise one ticket for breakfast; Young gave, in my presence, Mr. Saffron \$20, and two tickets, one for passage and one for breakfast, saying that the other seven dollars should be paid when he got back to Philadelphia; the other money was given to a Mr. Gore by Young, in large bank bills, to pay the other men. Saffron came part of the way and returned back from Bordentown. Young's brother was on board the boat with us; there was eleven or thirteen of us on board the boat. Young's brother took us to a house, a yellow framed house on the river side; I cannot say where it was; from there we went to Lovejoy's Hotel. On the way down Gore changed the hundred dollar bills and gave each man his money; say \$20 each.

Mr. Gore, Mr. Moon and Mr. Renwater was with me. It was not said what we were to do by no man, but it was supposed that we were to come on here to vote. We all knew that Mr. Young, the High Constable, was a whig, and that was the ticket we were to

vote; next morning I walked to the polls myself. I went from Tammany Hall down Nassau street to the Second Ward poll. I there saw a number of Philadelphians that had come on with me, others that had come on the day before, and others that I did not expect, which were the Philadelphia up-town men; we began talking among ourselves, and asked who had voted and who had not. Some said that they had not voted; others said that they had voted two or three times, and meant to vote as many times again. Among the persons there, was John Hazzard, O'Donnelly, Robert Reynolds, and a number of others, amounting to eight or ten, whose names deponent does not now recollect. We left there [Deponent here refuses to state if he voted at the Second Ward poll, on the ground that the answer might tend to criminate him.] We went down the street a short distance, and turned to the right to another poll, which he thought was the Third Ward poll: there was two or three persons with me—Robert Reynolds was with me; there was a large portly gentleman there, hunting drab coat and clothes, and large red face; he gave Robert Reynolds a ticket to vote. Mr. John Reynolds, who is here now, got up and said he had better not vote that ticket, and told him the consequences. Finally, John Reynolds got the ticket out of his hands, and tore it up. Two persons voted at this poll. Robert Reynolds was one; he came on from Philadelphia the day before me; [cannot answer as to others, as the answer might lead to criminate him.] The large man pulled out his pocket book, and gave to Reynolds some money—one or two dollars, he thinks. The large man then sent Reynolds back to the Second Ward poll, the first deponent spoke of, and told him to go up stairs; at the front door room, he would see a gentleman dressed in black, dark hair and black whiskers; he appeared to be a very young man; deponent went with Reynolds; there were two tickets got there and voted at the poll.

From the room where we got the tickets, we all went down stairs into a side door—the tickets were put into the ballot box. Robert Reynolds was one that voted here. From there I went out by the front door, and met a friend of mine, Mr. Lewis, from Philadelphia. Mr. Reynolds discovered Lewis, and left me. Lewis called me one side, and said, do you know that you are sued? I asked him for what. He replied for voting where I had no right. I denied it. He said there was no use in denying it, that Mr. Bailey had seen me vote, and that a Mr. Harrison was going to have me taken, and advised me to go off, for although I had acted bad, he did not wish to see me injured. I told him I could not go then. He asked me to walk up to Tammany Hall with him; on the road he wanted me to tell the truth, and said I should not be injured. I then related to Lewis all I knew about it—pretty much the same as I have related here. Lewis took me to Tammany Hall, where I met a good many persons, and we got drinking. The story then got pretty generally about the Hall. I told a gentleman that I saw last night, and whose address is 86 Pearl street, and who was at Tammany Hall at that time, he, Mr. Lewis, myself, and some other person went down to the Second Ward poll—Mr. Lewis asked me to go up stairs to see if I could not get another ticket; I went up stairs and saw the same gentleman that gave me tickets before; he said go down by the opposite corner and I will see you in a few moments; I went down and got into conversation with Mr. Lewis and this gentleman—the gentleman from the room soon came down to me and called me from Mr. Lewis; he gave me a ticket and note to go to some other ward to vote; the person to whom the note was directed I do not know or recollect; he told me to take it to the gentleman to whom it was directed at the Fourth Ward poll; he then went back to the house, when deponent began talking to Mr. Lewis. I gave Mr. Lewis the ticket and note. The ticket had the democratic heading, the names of the democratic candidates all scratched out, and the names of the opposite party wrote fine y with a pen. I then went back to Tammany Hall, and stayed there until three o'clock. Col. McCann came in, from Philadelphia, and told me that it would save me a good deal of difficulty if I would make oath to this. I, with some reluctance, agreed to it; afterwards he started me to go to the Police office to make oath; I was arrested at the Police after I got there; I was put in prison and kept there for two terms and discharged by proclamation. Mr. Lewis or Mr. McCann got the ticket and note while I was in prison; I was visited by several persons; Assistant Alderman Crolius, of the Sixth Ward, gave me the range of the prison, and seemed to take a good deal of interest to get me clear.

After I was discharged, some persons at the court door, as I was leaving it, met me and took me down town, in the neighborhood where the great fire was, to a house, in the first or second story cannot say which, where I saw a gentleman who paid me twenty-five dollars, in five dollar bills; at the same time stated that I had done wrong—to go home and never show my face again in New York; I then went home. I do not know how it was contrived that I should be discharged by proclamation. Deponent did read the contents of the note that was given him to go to the Fourth Ward poll, and its purport was not to challenge Marks's vote; was not told that the person to whom he was to give it was a challenger. The friend that went with me after my discharge went up stairs first, and shortly returned and told me that the man wanted to see me, and cannot tell whether it was the gentleman or his friend that gave him the five dollar bills. Reynolds' name was asked at the polls—he gave a name, but I believe it was not his own name. I do not know how many votes were given in, but some of the Philadelphia party stated that some of them had voted eight or ten votes. I arrived on Tuesday and was arrested on Wednesday.

MYER H. MARKS.

Sworn, the 26th day of October, 1840, before me.

ROBERT H. MORRIS,
Recorder of the City of New York.

City and County of New York, ss: Myer H. Marks, after having left the room for some minutes, returned, and being farther sworn, says he wishes to make an explanation. That he was told by the friend that was with him that a check was given to a boy. This depo-

ment farther says, the boy, in deponent's presence, returned with the five \$5 bills, which were handed to the gentleman, and by him paid to the deponent. Mr. Dreyfous, when I got out, told me he understood from my friend that a check had been sent out with a boy; I then remembered that was the case. Mr. Edmonds was also present.

MYER H. MARKS.

Sworn, this 26th day of October, 1840, before me.

ROBERT H. MORRIS

Recorder of the City of New York.

City and County of New York, ss: John P. Reynolds, of the district of Southwark, in the county of Philadelphia, being duly sworn, doth depose and say, that Charles Strine came to me in the afternoon of the Saturday last preceding the election in the city of New York, in the fall of 1833, and asked me how I would like to go to New York; that I replied would like very well to go, but had no money; that Strine then informed me that my expenses would be paid, and money besides; that I replied that such an arrangement would suit me, as I had business in New York, and wanted to go there any how; that I then asked Strine what I was to do when I got in New York, and that Strine replied that would be told by James Young, the high constable, next evening; that on Sunday evening there was a small meeting called at the house of Mr. John Gore, in Fourth street, corner of Ball Alley, in Southwark; I was present at such meeting; that John Gore, Hart Marks, Wm. Saifron, Charles Strine, James Young, George Moore, George Rose, and James Reimenter, and a number of others, were also there; that Mr. Young then stated to us that he wished us to go on to New York; that he had made arrangements for some thirty or forty men, but could not send so many, as the money had failed; that he thought about twenty or twenty-four men were as many as he could send from Southwark; that he had promised us thirty dollars a piece, but his money was short, and he could only pay us twenty and give us our passage ticket, and that when we returned we should have the other seven dollars; that he then told us to meet him next morning at the New York boat, and he would give us the money; that he met us the next morning at the boat for New York, and was with a man who appeared to be one of the head men from New York; that he then took us into a little tavern, at the corner of Walnut and Water streets, in the bar room, but did not allow but one of us to come in at a time; that he then paid us twenty dollars a piece, and gave us our passage ticket; that he then took us on board of the boat for New York, at the foot of Walnut street; that he, J. Young, told us that a committee would meet us at the landing in New York, and tell us where to go and what to do, but did not caution us against voting, or give us any advice of the kind; that we came to Amboy by the railroad, and from thence to New York in a steamboat, and were landed near the Battery; that a man met us on the wharf, and asked us if we were the committee sent on from Philadelphia; that some one replied we were, and the man then asked us who came on with us; that some of our party replied that Mr. Young's brother came on with us; that the man then told us to follow him, and that a place was provided for us; that deponent then left the party and went to Mrs. Pierce's, No 83 Division street, where he put up while in the city of New York; that at the meeting at John Gore's house, on Sunday evening, at Southwark, we elected him Captain; that on the next Wednesday morning after arriving in New York, walked down to a tavern in Chatham square, near the Franklin Theatre, and there met Vincent Taylor, one of the party who came on from Philadelphia; that Taylor asked me to take a walk, and we went down Chatham street to Broadway, and then into Courtlandt street to the Third Ward polls; that we there met Hart Marks; that I asked Marks what he was going to do, and Marks said he was going to vote; that I then told him not to do so, as he did not know what difficulties he might get in; that Marks said he was broke and didn't know how he would get home; that he must vote to get money to go back, for he was promised pay for every time he voted; that I then told him not to do so, for the money would do him no good, if he got into difficulties here; that a man then came up, dressed in a drab coat and pantaloons, a large portly man, with a round red face, and called Marks away; that I then went with Taylor farther on through the crowd, and there met Robert Reynolds, who also came on with our party from Philadelphia; I said to him, "hallo, Bob, what are you doing?" and he, being a little corned, replied, "By Jesus, I'm going to vote; that I then told him he should not vote, as I was his friend, and would not let him; I then asked him to let me see his ticket, which he did, and I tore it up—it was a whig ticket; Taylor and deponent then endeavored to take him off, and got him down the street some distance, when he got off and said he would go back and vote; that Marks and Reynolds both said they got paid to vote and would vote, but deponent did not see their vote; that he heard Donnelly and several others of the party from Philadelphia say they voted in four or five different wards and got paid for it; that they shook their money at me and reproached me for not going round and voting also; that when I returned to Philadelphia, I called on Mr. James Young, at the Mayor's office, for the seven dollars still due, and he promised to pay me in a day or two, but has never done so; that Young said the money had failed, and he was going to New York after more; and after his return from New York I called on him and he said he did not get any money in New York, as he could not see any of the party; that when he got the money he would pay me; that neither Young or any other person told us that we were to go on to New York to see that no locofoco from Philadelphia voted there; that I did not know what we were to do in New York till Charles Strine, on the road, told me privately that when we got to New York we were to go to the different wards and vote the whig ticket if we could.

JOHN P. REYNOLDS.
his mark.

Sworn before me, this 26th day of October, 1840.

GEORGE W. MATSELL,
Special Justice of the Peace.

OYL 3956

Box 53